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## House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, February 29, 2000, at 12:30 p.m.

## Senate

WEDNESDAY, FEBRUARY 23, 2000

The Senate met at 10 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

### PRAYER

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

Dear Father, we thank You for Your loving kindness. We are amazed by Your infinite patience with humankind. Each of us has known that patience. You are merciful and gracious with us. Help us to be as patient with ourselves. We find it difficult to be up for others when we get down on ourselves. Give us patience with others. Forgive us when we are irritated or annoyed and lose patience with them. Grant us patience with the political process, with ideological adversaries, and with those who refuse to march to our drumbeat. Remove the chips from our shoulders and replace them with Your all-powerful, upholding hands.

Gracious God, give us hope based on the assurance of Your timely interventions and courage rooted in Your strength. Slow us down when we run ahead of You. We want to walk with You at Your pace and in Your direction, neither running ahead nor lagging behind. We give up the assumption that we are in charge of everything, and we trust our challenges and our opportunities to Your control. You are our Lord and Savior. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable MIKE CRAPO, a Senator from the State of Idaho, 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.

### RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able Senator from Idaho is recognized.

### EXTENSION OF MORNING BUSINESS

Mr. CRAPO. Mr. President, I ask unanimous consent that the period of morning business be extended until the hour of 12:30 p.m. and between 11:30 and 12:30 Senators be limited to 10 minutes each.

The PRESIDENT pro tempore. Without objection, it is so ordered.

### SCHEDULE

Mr. CRAPO. Following morning business, Mr. President, the Senate is expected to begin consideration of S. 1134, the education savings account legislation. However, the Senate may also begin consideration of any other Legislative or Executive Calendar items available for action.

As a reminder, the vote on the Iran nonproliferation bill has been scheduled to occur on Thursday morning at 11:30, and, as previously announced, there will be no votes on Friday.

I thank my colleagues for their attention.

I note the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 12:30 p.m. The time until 10:45 a.m. shall be under the control of the Senator from Illinois, Mr. DURBIN, or his designee.

The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, I yield myself such time of Senator DURBIN's as I might use.

### THE NEED FOR PRESCRIPTION DRUG COVERAGE

Mr. DORGAN. Mr. President, this will be a session in Congress in which we will have plenty of challenges and opportunities to discuss issues. We live in a country where we are blessed with an economy that is growing, and with unemployment that is about as low as it has been in my adult lifetime. Inflation is down. We have had the blessings

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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of a rising stock market; we recently had some adjustments there. But home ownership is up. Personal income is up. We have a lot of things that exist in our economy that represent good news for our country.

I come from a farm State, and there is not such good news for family farmers. They are suffering through a very severe crisis with collapsed grain prices and other difficulties. But, generally speaking, our country has been doing quite well. Our economy is stronger than almost any other economy in the world. Economists now predict that we will have budget surpluses as far out as the eye can see. Of course, that is not very far; economists who can't remember their home address try to tell us what is going to happen with the economy three, five, and ten years from now.

It is interesting to note, if you go back to the early 1990s, virtually all leading economists in America predicted that the 1990s would be a decade of slow, anemic economic growth. Of course, they were almost all wrong. So as we confront our challenges and opportunities in the future, I think it is wise for us in this Chamber not to be seduced by some who would say that if we are going to have continued budget surpluses, let's have a \$1.3 trillion tax cut over 10 years. I think it is much wiser to provide some targeted tax cuts with some of the surplus, if it materializes, and use a fair amount of the expected surplus to reduce Federal indebtedness.

Why? Because during tough economic times you need to use increased debt to help you through those tough times, and during good economic times it seems to me you would want to reduce indebtedness. So I hope that is what we do.

However, even as we discuss all of those fiscal policy changes and challenges, it is important for us to evaluate what else is necessary to be done, and what investments should be made. One is education. Clearly, our future is our children, and clearly we all, Republicans and Democrats, want the same thing for our children. We want every single young child in our country to walk through a classroom door and believe, as parents and as Americans and as legislators, that that classroom is one of which we are proud.

That is a classroom in which that young child can learn, in which that young child may grow up to be a nuclear physicist, or to be a doctor, or a lawyer, or the best plumber, mathematician, carpenter—whatever it is the talents of that young child allow it to be. That is what we want for our children in education.

There are a range of other education challenges that we will debate and discuss this year. In the area of health care, there are challenges as well.

I came to the floor to talk about one specific area which, it seems to me, we must work together to address, and that is this: How do we respond to the

increasing needs in Medicare, especially with respect to prescription drugs?

Times have changed in this country. Many people are living longer and much more productive and healthy lives. I have talked before about my uncle, and I will not describe him again in great detail. But my uncle is 79 years old. My Uncle Harold is a runner. He didn't discover he could run until he was in his early 70s. Then he discovered quite by accident that he was a pretty good runner. My uncle is now 79 years old, and he has 39 gold medals from running in races all over the country. He runs in the 400 and the 800 in Senior Olympic events. My uncle is probably a perfect description of how things have changed in our country.

It wasn't too many decades ago that when you reached 79, there was a special place for you. It was a big, easy chair where someone would serve you soft food—probably oatmeal. You were 79, you were old, relaxed, and you were retired, eating soft food. That is not true anymore. People are living longer, better, and healthier lives. My uncle, God bless him, is in Arizona today training for his next race at age 79.

In this job, we all meet and confront wonderful and interesting people. I have met some senior citizens who now, reaching the retirement portion of their lives and facing diminished income because they are no longer working, are able to look forward to responding to some of the health challenges with lifesaving drugs and therapies. They weren't previously available to them. But medicine has marched forward with new procedures, surgeries, and medicines.

A woman came to a town meeting one day and told me that she had two new knees, a new hip, and cataract surgery. She said she feels like a million dollars. I told her that it was a pretty big investment, but good for you.

Forty years ago, if I had held a town meeting in that small community, she would have been there in a wheelchair—if she was there at all—with bad knees and cataracts. But now, with surgical advances, there are so many things happening that allow people to live longer, better, more productive and healthier lives. And a part of that is the medicine that allows people to deal with their difficulties. There are breakthroughs in medicine that are quite remarkable.

One of the things we must do in this session of the Congress, in my judgment, is to try to attach some sort of prescription drug benefit to Medicare. What is happening to senior citizens in this country is that all too often they reach that portion of their lives when they have diminished income and they have an increased need for prescription drugs, and they can't afford them.

Senior citizens are 12 percent of the population in America, and they consume one-third of the prescription drugs in our country. Let me say that again because it is important. Senior

citizens are only 12 percent of our population, but they consume one-third of the prescription drugs. Why? Because they need them.

In Dickinson, ND, a doctor said to me that one of his Medicare patients had breast cancer. She was being treated for breast cancer, first with surgery, and with some prescription drugs to reduce her chances of recurrence of breast cancer.

The doctor told his patient that she needed to take these prescription drugs to reduce the chances of recurrence of breast cancer. This woman told the doctor that she couldn't afford those prescription drugs, and therefore couldn't take them. She told him that she couldn't afford them because she didn't have coverage to help her pay for them through insurance or Medicare. This woman told the doctor that she was just going to have to take her chances with the recurrence of breast cancer because she couldn't afford the prescription drug.

What about the woman with heart disease and diabetes, in her 80s, living on several hundreds of dollars a month of income who is told that she needs several different kinds of expensive prescription drugs to manage her heart disease, her diabetes, and all the other health challenges that come from that? She said to me: "Mr. Senator, I don't have the money to do that. I can't buy these prescription drugs because I cannot afford them. I buy prescriptions as much as I can, and I try to cut the pills in half and take a half a dose occasionally in order to try to make it stretch."

Doctors tell me that can actually exacerbate health problems. That is the difficulty.

How do we respond to that? We respond to that by providing a thoughtful, sensible, affordable prescription drug benefit in the Medicare program. We can do that. To put this together is not rocket science. All of us together can do that, understanding that people are living longer. But when they reach diminished income, as senior citizens do, they need affordable prescription drugs to deal with their health care problems.

I have held Democratic Policy Committee hearings in New York, Chicago, and North Dakota. We will be having future hearings in Atlanta and other places to talk about these issues and to take testimony from senior citizens about the issue of prescription drugs and Medicare. The testimony is so gripping.

Senator DURBIN and I held a hearing in Chicago. A woman came to testify who had a double lung transplant. She explained to us that the way the system works for her health care is it costs her \$2,400 a month in prescription drug costs for the very expensive drugs to prevent the rejection of these organ transplants. She said she didn't have the money. She said that because she couldn't afford them, she could get them through Medicaid for 1 month.

Then they stop coverage for a second month. So she described to me the circumstances.

It is like every other testimony you hear all across this country from senior citizens. Lifesaving drugs can only save your life if you are able to afford to take them. If you do not have the money, and don't have access to the drug that you need for your health—especially senior citizens—you will discover their life is not so long and not so healthy.

Mrs. BOXER. Mr. President, will my friend yield for a colloquy?

Mr. DORGAN. Certainly.

Mrs. BOXER. I am so happy Senator DORGAN took the time to come over here to discuss this. I thought it would be interesting to talk with him about some facts that came out in recent studies because he has been on this issue before a lot of folks. He was talking about the cost of prescription drugs. I think he would be a very good person for me to direct a few questions to, if he would be willing to do that.

When he talked about a particular woman who came to him and told him that she essentially could not afford to take the correct number of pills for her condition and she was trying to figure it out—well, if I took a half a pill now and a quarter of a pill later—I wonder if the Senator is aware that this is a widespread situation. If the Senator could comment on it, one report found that one in eight seniors has to choose between buying food and buying medicine.

If my friend could comment on how it makes him feel as someone who has always been a fighter for the average person. Here we have senior citizens in our country, one out of eight, after they have worked all their lives, have saved their money, have taken care of their family, having to choose between buying food and buying medicine. I wonder if my friend would comment on that.

Mr. DORGAN. Senator BOXER raises the question that is raised in so many hearings. We had a woman testify at a hearing I held who said something you hear often. She goes to a grocery store that has a pharmacy in the back of the store, and she takes a number of prescription drugs.

By the way, a lot of senior citizens will take three, five, or seven. I have had senior citizens tell me they are on ten different prescription drugs for a whole series of health challenges and problems. This woman told me that when she goes to the grocery store, she must first go to the back of the store, to the pharmacy, to buy her medicine. She said that she does this so she will then know how much money she has left to purchase food. Only then will she know how much food she can buy.

We hear that time and time again.

Last year, spending on prescription drugs in America rose 16 percent. Some of that is price inflation; much of it is increased utilization.

Let me talk just for a moment about the cost of these drugs because that is

part of the other issue. A fellow named Alan Holmer, who represents the pharmaceutical manufacturing industry, wrote a letter to the newspapers in North Dakota because he was upset about prescription drugs.

I have been putting pressure on the prescription drug industry to try to moderate prices. How much do we pay for prescription drugs? When we pay \$1 for a drug, the same pill, in the same bottle, made by the same company, the Canadians pay 64 cents; we pay \$1 for what the English pay 65 cents for; we pay \$1 for what the Swedish pay 68 cents for; we pay \$1 for what the Italians pay 51 cents for. We pay the highest prices for prescription drugs for any consumer in the world.

I want to show my colleagues four pill bottles which make the point better than I, and I ask unanimous consent to do so.

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

Mr. DORGAN. This is a bottle of medicine called Cipro, used to treat infections. It is a commonly used medicine. This bottle contains pills made by the same company, from the same plant—the same pill, inspected by the Food and Drug Administration.

The difference? There is no difference in the medicine, no difference in the bottle. The difference is in price. This bottle of 100, 500-milligram tablets is sold for \$399 to the U.S. consumer. This bottle—same company, same medicine, same pill—that sells for \$399 in the United States is sold for \$171 in Canada.

Why? Good question.

This is a different bottle, same pill, same company. Everyone will recognize this drug called Claritin, 10 milligrams, 100 tablets. In North Dakota, this is purchased for \$218. The same pill—same company, in plants inspected by the Food and Drug Administration, approved by the Food and Drug Administration, sold for \$218 to the United States consumer—is sold for \$61 in Canada.

Why? Good question.

The same is true with a whole list of drugs, especially the most commonly prescribed drugs for senior citizens. The drugs on this chart include Zocor, a cholesterol drug. Buy it in the United States, it costs \$106; in Canada, \$43; in Mexico, \$47.

The question is this: Why is the U.S. consumer required to pay the highest prices of anyone in the world for the exact same drug that is sold for a fraction of the cost in virtually every other country in the world?

Mr. Holmer, who represents the pharmaceutical manufacturing industry, has written a critical letter to the editor, which is fine. It is a free country; he can do that. I want the drug companies to do well and be profitable. I want them to produce good products. I want them to do research to find new medicines. We do it at the Federal level; there is a lot of federally sponsored re-

search. I also want fair pricing for the American consumer. Fair pricing gives us an opportunity to put a prescription drug benefit in the Medicare program. This is a very important issue for all Americans, especially senior citizens.

Mrs. BOXER. If my friend will continue to yield, this is my next question. I am appreciative the Senator has gone in this direction.

The General Accounting Office found United States drug prices for specific drugs were, on average, one-third higher than in Canada and 60 percent higher than in the United Kingdom. When my friend shows charts, this has been borne out by studies of a Federal agency.

The Federal Trade Commission has reported that drug manufacturers use a two-tiered pricing structure under which they charge higher prices to those without insurance. In other words, if I go to a pharmacy where my insurance is not accepted, it costs an arm and a leg. However, if I have coverage, then the cost to my insurance company is way less.

I pivot to this question: Because the Federal Trade Commission has studied it, we know there is a two-tiered pricing insurance, for those who have insurance and those who do not, so does it not make sense, for all of our people whom we can possibly reach, particularly those in the older years where they need these drugs to survive, thrive, and live, that they get into some kind of system?

In other words, does my friend agree that even though we don't have to get into the details of what system it would be, in unity there is strength? If we can walk away from the high-tiered pricing and get into a system where citizens can avail themselves of the better price, this is something we should fight for. If we don't fight for it here, I don't know whom we are representing.

Would my friend comment?

Mr. DORGAN. The Senator from California says it better than I. In the multiple-tiered pricing systems, we have preferred customers who get drugs at a fraction of the price if they are in the right system; others pay the highest price on Main Street because the local pharmacies are not able to access, in most cases, those less expensive drugs.

We have several different problems with pricing. One is internal. A preferred customer gets one price; if one is not preferred, they get another price. Often, senior citizens are the ones who walk to the corner drugstore in their hometown. The corner drugstores buy from a distributor that does not give them the preferred prices, and senior citizen pay the highest prices.

I took senior citizens to Emerson, Canada. Senator WELLSTONE and others are working with me on a piece of legislation that deals with the international pricing issues. Senator WELLSTONE has done the same with Minnesotans and talked about this

issue. We went to Emerson, Canada, which is 5 miles north of the North Dakota border. The same drugs are being sold 5 miles north of the border at a fraction of the price as in Walhalla or Pembina, ND. Does anyone think the drug companies are selling in Emerson County at a loss? Of course not. A small drugstore—a little, one-room drugstore in Emerson County is making a profit, pricing at a fraction of what they charge 5 miles south.

We have two issues. One is something called the International Prescription Drug Parity Act. If the global economy is good for everyone, make it work for everyone. Let the pharmacist go up to Winnipeg, Canada, and access the same drug for a fraction of the price and pass the savings on to the pharmacist customer. There is a Federal law now that prohibits that. We ought to pass the International Prescription Drug Parity Act that Senator WELLSTONE and I and others introduced.

Also, this Congress ought to work, Republicans and Democrats together, to understand that after 35 years it is time to add a sensible, thoughtful, and affordable prescription drug benefit to the Medicare program. Let's help those folks who are in their declining income years be able to access lifesaving drugs that will allow them to continue to live healthy lives. That is our challenge.

Mrs. BOXER. One last question. As with everything else, we have to make choices about what we will do to help people. There is a big debate across party lines about the surplus. We know it is reflected in the Presidential race, even within the parties.

I raise the subject of the marriage tax penalty. We know there is a penalty in our Tax Code for married couples, and everyone in this Chamber wants to fix it. If we fix it in the wrong way, where we help, instead of Mrs. Jones or Mrs. Smith, Mrs. Trump or Mrs. Helmsley, then we won't have enough money to take care of the one third of the Medicare beneficiaries who do not have prescription drug benefits, resulting in the story the Senator told in a very poignant way about a woman chopping up her prescription pill that she needs to stay alive, stay healthy, be vibrant, and have those golden years, as we always say we promise our seniors.

We do not have a bottomless cookie jar. We learned that lesson in the 1980s. We have to make some tough choices. When we talk about a prescription drug benefit, we are not enacting it in a vacuum. We are not just coming down with a laundry list of everything we wanted to do with the surplus. We have thought it out.

As the Republican Party decides where it is going to go with the surplus, I hope they will consider, since they run this place right now, that if you give it all away to the wealthiest people with benefits they do not need because they are doing just fine, that they will be forgetting these senior

citizens who are living 5 miles to the north of North Dakota and going to Canada to buy their drugs. That, as you say, is dicey right now. It is not even allowed, unless they have a particular note.

So my closing question is a global question. It is more of a larger issue. How do we make room for this and can we make room for this benefit?

Mr. DORGAN. I should mention also, about the trip to Canada, the Customs folks will allow you to bring a small amount of prescription drugs back across the border for personal use.

Mrs. BOXER. I see.

Mr. DORGAN. They would not allow a pharmacist who runs a drug store in Grand Forks to go to Canada and purchase Claritin and bring it back and sell it to a consumer. That is the problem. We have a global economy that is apparently good for the global interests, but it doesn't work for the Main Street pharmacist or distributor who wants to access lower prescription drug prices in Canada, for example.

But if you ask doctors where we go from here, they will tell you that if you have a senior citizen who has a series of health difficulties—and often they do, perhaps diabetes, perhaps some cardiac problems, arthritis, a whole series of problems—the most expensive way to treat them is to wait until the problem is magnified because they cannot afford the prescription drugs they need. If they cannot afford them, they will just not get them, and that is the expensive way to solve medical problems. What will happen to that patient? He will end up in a hospital bed someplace. And what does it cost for a day in the hospital?

It is less expensive way to say to those folks: Here are the opportunities for you to access the right kind of prescription medicines that you need to manage your disease, and to allow you to stay out of the hospital. That is the most thoughtful and the least expensive way to treat health problems.

In some ways it is like the old argument about wellness. We have always, as a country, been willing to treat somebody who is desperately ill. The minute someone becomes ill, we want to help. But when it comes to preventing someone from becoming ill, we don't want to worry about that. We would never pay for that in an insurance policy. We will only pay for the higher cost treatments once you are admitted to a hospital somewhere.

The same thing applies to providing prescription drug benefits to Medicare. It will promote wellness, in the sense that it will keep people out of the most expensive medical treatment—time in an acute care hospital bed. We can do this.

The Senator from California asked the right question at the start of her last discussion: What are our priorities? John F. KENNEDY used to say that every mother hopes her child might grow up to be President, as long as they don't have to be active in poli-

tics. But, of course, politics is the process by which we make choices in our country. We do not have an unlimited opportunity to make choices.

I hope this economy continues in ways that provide significant budget surpluses. If we have those surpluses, then let's be sensible and thoughtful about what we do with them. Let's have some targeted tax cuts, and, especially, pay down the Federal debt. But, in addition, we should find ways to use some of that surplus to do important things in education and health care. Let's construct together, in this Chamber, a prescription drug benefit for Medicare that, in my judgment, has been needed for a long time and is an issue Congress has ignored. We can do this.

We cannot do any of this—we cannot even begin to talk or think about it, if someone comes to the floor, gives us a bill, and says they would like a \$1.3 trillion tax cut over 10 years. First of all, we don't have those surpluses; they are simply economic projections. Second, \$1.3 trillion means you are going to dip into the Social Security trust fund to give the tax cut, and it means nothing else can be discussed because you have given out all that money in tax cuts.

At least one of the Presidential candidates out there has proposed the \$1.3 trillion tax cut in a way that, as always, gives the bulk of the money to those who need it the least. These at the upper side of the income scale will get the preponderance of this money and it will foreclose the opportunity to do some other important things.

Yes, let's have a targeted tax cut; yes, let's reduce the debt and pass some other measures that will help this country offer a prescription drug benefit, and then let's invest in an education for our children that we can be proud of as well.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. I ask the Senator from California, did she not intend to speak?

Mrs. BOXER. No. I am done.

Mr. WELLSTONE. Mr. President, first of all, very briefly, how much time do the Democrats have left?

The PRESIDING OFFICER. (Mr. SANTORUM). Until 10:45, 10 minutes.

Mr. WELLSTONE. Mr. President, let me try to do this in 10 minutes. I might ask unanimous consent for a couple of more minutes but not much more.

I thank my colleagues for their discussion about prescription drug costs. In the State of Minnesota, actually only one-third of senior citizens have any prescription drug coverage at all. Let me also point out that in the State of Minnesota, we have many seniors who cut their pills in half because they think they will save money and still will be able to help themselves and actually, doctors say, sometimes that can be more dangerous than not even taking the drug at all.

The investment in prescription drug coverage cannot be done on the cheap.

I am in complete agreement with my colleagues about the tradeoff between tax cuts, the vast majority of which benefit people at the top, and not having the money for this investment. But to be fair in a critique here, I think all of us, Democrats and Republicans, have to understand even if we provide a benefit but we are unwilling to spend too much money for fear of being called, I suppose, big spending liberals or whatever, if you set a cap and you say only \$1,000 will be covered and no more than that, then I can tell you many of our senior citizens, and others who are the frailest and most sick, will bump up against that cap, and it will still not cover their catastrophic expenses. We have to be very careful people can afford it on the front side as well.

So whether it be too high deductibles or caps that are set too low, we have to be very careful if we say we are going to have this coverage for people and security for people, that it will be there.

#### CHECHNYA

Mr. WELLSTONE. Mr. President, I have in hand an article, titled "Rights Group Reports Massacre in Chechnya." The first two paragraphs read:

Moscow, Feb. 22—Russian soldiers went on a deadly rampage earlier this month in a neighborhood of the Chechen capital of Grozny, killing at least 60 civilians in the worst case yet disclosed of Russian military atrocities, an international human rights group charged today.

During the attack, which began the morning of Feb. 5 in the Aldi neighborhood, soldiers, "systematically" robbed and shot civilians, raped women and looted and burned homes, according to a draft report prepared by Human Rights Watch and based on interviews with witnesses and relatives of those killed.

Mr. President, I ask unanimous consent this article be printed in the RECORD.

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

[From the Washington Post, February 23, 2000]

#### RIGHTS GROUP REPORTS MASSACRE IN CHECHNYA

(By David Hoffman)

Moscow, Feb. 22—Russian soldiers went on a deadly rampage earlier this month in a neighborhood of the Chechen capital of Grozny, killing at least 60 civilians in the worst case yet disclosed of Russian military atrocities, an international human rights group charged today.

During the attack, which began the morning of Feb. 5 in the Aldi neighborhood, soldiers "systematically" robbed and shot civilians, raped women and looted and burned homes, according to a draft report prepared by the Human Rights Watch and based on interviews with witnesses and relatives of those killed.

"Russian soldiers murdered their way through Aldi, killing more than 60 civilians who were peacefully waiting for them in the streets," said Peter Bouckaert, a spokesman for Human Rights Watch who researched the events. "These are war crimes, and they must be investigated and punished as such."

Human Rights Watch has documented two earlier rampages by Russian troops: in

Alkhan-Yurt; where 17 people were killed in mid-December, and in the Staropromyslovsky district of Grozny, where 44 died in December and January. Russian commanders have denied that their troops murdered civilians but, faced with continuing criticism from Western organizations and governments, acting President Vladimir Putin recently appointed a new human rights commissioner for Chechnya.

The new commissioner, Vladimir Kalamanov, the former chief of the migration service, promised in a news conference today to check the reports, but refused to discuss specific allegations.

According to the Human Rights Watch report, witnesses painted a consistent picture of the events in Aldi, when a large group of soldiers, "numbering in the hundreds," began killing civilians. Witnesses said residents had been summoned to the streets to have their passports checked when the shooting started.

The human rights group quoted witnesses as saying the soldiers also extorted money from residents, allowing them to buy their own lives with cash. One man who offered the soldiers rubles was told to come up with dollars, and when he offered \$100 he was killed, Human Rights Watch said.

At least two women were raped by soldiers during the rampage, the group added. Russian soldiers warned witnesses that they faced revenge if they spoke of the atrocities, so some were unwilling to talk, the group added.

Human Rights Watch said at least two sources had confirmed the deaths of 34 people, but the group has obtained the names of more than 60 people believed to have been killed in Aldi on Feb. 5. Local witnesses have stated the death toll was at least 82 persons, the group added.

Meanwhile, Russian forces continued battling Chechen fighters in the southern mountains, launching an attack on the village of Shatoi, said to be a major rebel stronghold. A battle also was underway near the Georgian border. The Interfax news agency quoted Russian sources as saying that three helicopter gunships were shot down today, an unusually high single-day toll.

Russian authorities also announced that they have clamped down on the movement of all people and vehicles in Chechnya—and sealed the border with the neighboring region of Ingushetia—in anticipation of the Chechen commemoration on Wednesday of Joseph Stalin's mass deportation of Chechens during World War II. Russian authorities have said they are bracing for terrorist acts on Wednesday, which also is a Russian military holiday.

Mr. WELLSTONE. Mr. President, I hope to have the opportunity to introduce a freestanding resolution on the floor of the Senate. I hope this resolution will receive unanimous support. It expresses the sense of the Senate that the Russian Federation should devote every effort to achieving a peaceful resolution of the conflict in Chechnya, allowing to Chechnya an international monitoring mission to monitor and report on the situation there and allow international humanitarian agencies to make sure there is immediate and full and unimpeded access to Chechen civilians.

This is a question on which the Senate should not be silent. It does make a difference if we speak up. Two weeks ago, I met with members of the Chechen Government. They discussed with me the horrific conditions cur-

rently facing their homeland. I do not think any of us should be silent while this is happening.

We in the Senate should express our distress over the escalating humanitarian situation in Chechnya, and we should urge the administration to enlarge its public demands on Russia to confront it.

It is clear that the Russian Government must move immediately to allow into Chechnya an international monitoring force to monitor and report on the situation there. We need that. The world needs that. The people in Chechnya need that. It must also immediately move to assist those persons who have been displaced from Chechnya as a result of this conflict, and the Russian Government must allow representatives of the international community access to those persons in order to provide humanitarian relief.

Russian authorities agree to permit the Organization for Security and Cooperation in Europe to engage in monitoring in Chechnya, yet it has not permitted OSCE's six monitors currently in Moscow to visit the region. The administration must demand that Russia permit the monitoring mission to go forward and take steps to expand it substantially.

The administration must urge Russia to grant human rights monitors access to the region, including those from our own diplomatic missions in the area. The administration must engage Russian authorities at the highest levels to secure cooperation in addressing the humanitarian emergency in Chechnya and in its neighboring province. It must demand Russia assist those persons who have been displaced from Chechnya as a result of this conflict and grant humanitarian organizations access to Chechen civilians to provide some relief. The civilian population in Chechnya has been victimized to an extraordinary degree, and it is in desperate need of humanitarian aid. The Senate should not be silent on this question.

Finally, the administration must urge the Russian Government to achieve a peaceful resolution and durable settlement in a manner consistent with Russia's obligation to the international community.

We must strongly support the OSCE mediation process. The Russian Government acknowledged the OSCE's competence in serving as a mediator and achieving a political settlement to the conflict in Chechnya during the war of 1994 to 1996. However, to date, the Russians have rebuffed repeated efforts by the OSCE to mediate the current conflict. The administration must increase its efforts to persuade Russia to implement an immediate cease-fire and accept OSCE-mediated negotiations.

As this conflict drags on and the number and intensity of human rights abuses by Russian forces in Chechnya increase, the administration must support the creation of a United Nations

commission of inquiry to investigate serious violations of international humanitarian law by Russian forces.

We must confront the suffering of the Chechen people. As many of my colleagues know, the recent Russian assault on the Chechen capital of Grozny was one more campaign in a continuing series of Russian military offensives in Chechnya. In September, I expressed my concerns to Yeltsin and Putin about the humanitarian tragedy that was, for the second time, unfolding in Chechnya. It is hard to imagine that after the use of force in Chechnya from 1994 to 1996, which left over 80,000 civilians dead, the Russian leadership could again see the use of force as enhancing the prospects for a durable settlement to this conflict. But the Russian leadership has again chosen use of force, and the current tragedy before us has now reached unimaginable heights, as evidenced by the piece today in the *Washington Post*.

Russian forces have used indiscriminate and disproportionate force in their bombings of civilian targets. This has resulted in the deaths of thousands of innocent civilian and displaced countless other. Russian authorities maintain a virtual ban on access to Chechen civilians by media and international humanitarian agencies resulting in our having to rely on the personal testimony of refugees fleeing the fighting to determine the nature and extent of the crisis and best means to provide humanitarian relief.

These testimonies are horrific: incidents of widespread looting, summary executions, detentions, denial of civilians safe passage from the fighting, torture, and rape.

Many civilians report being detained at the Chechen border as they tried to flee the fighting. They tell of brothers and fathers who had simply been denied safe passage out. It is fundamentally unacceptable to deny any civilian the right to flee the fighting—to trap them in this dangerous war. And where do these trapped civilians go? Into detention camps. No one needs to be reminded of the systematic torture that took place in detention camps set up to detain Chechens in the 1994–96 Chechen war. That event stains the memory of the Chechen people and it is happening again.

One twenty-one-year-old tells of the horror in the camps:

About fifteen or twenty soldiers were standing in two lines with rubber sticks. . . . When I was running through the corridor, each soldier beat me with the sticks. They made us undress and started checking our clothes. They took away the clothes they liked. . . . For a week, I had to sit in the jail almost naked.

In addition to this torture, young men report that in order to be released from the camps their family members must pay outrageous bribes to camp officers and upon release, must sign papers saying they suffered no harm in captivity.

Then there are the numerous reports of rape. In one Chechen town a six-

month pregnant 23-year-old woman was raped and murdered. Her mother-in-law was executed in this same incident. And Mr. President, many incidences of rape and sexual abuse go unreported. For many women in towns and villages all over Chechnya the shame is simply too great—they won't come forward to report these horrible crimes. Chechnya's culture and national traditions make it difficult to document case of rape and sexual abuse—unmarried women who are raped are unlikely to be able to get married, and married women who are raped are likely to be divorced by their husbands. The effects of these rapes on Chechen society will be profound and long lasting. I remind the Russian leadership that rape is war crime.

Two weeks ago I sent a letter to acting President Putin expressing my deep concern over the deteriorating situation in Chechnya and the Russian government's response to the humanitarian tragedy there. I urge the Russian government to move quickly to resolve this situation in a manner consistent with Russia's obligations to the international community and urge the Russian leadership to begin now to investigate and prosecute those responsible for human rights abuses in Chechnya—it promised to do this after the last Chechen war but failed to do so.

I urge my colleagues to communicate their own concerns to the Administration and the Russian government in whatever manner you think best. We cannot remain silent. We must fully condemn the use of indiscriminate force against the civilians in Chechnya and denial of humanitarian relief to Chechen civilians. We must remind the Russian leadership that the world is watching.

This congress and this administration must express to the Russian government that it should devote every effort to achieve a peaceful resolution of the conflict in Chechnya, allow into Chechnya an international monitoring force to monitor and report on the situations there.

That is what this resolution I have submitted to the Senate, on which I hope we will have a vote, calls for. We must call for allowing international humanitarian agencies immediate, full, and unimpeded access to Chechen civilians in order to provide humanitarian relief.

This resolution, on which I hope we will have an up-or-down vote or it will be unanimously accepted by the Senate, calls for several things. It calls for the Russian Federation to devote every effort to a peaceful resolution, to allow into Chechnya an international monitoring mission to monitor and report on the situation, and to allow international humanitarian agencies immediate and full access to Chechen civilians. The people of Chechnya deserve no less.

I have no illusions. I do not think adopting a resolution automatically

turns the situation around, but I do believe the Senate should not be silent, that we must support this resolution, and we must send this message. We must stand up for human rights.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

#### MEASURES PLACED ON CALENDAR—S. 2081 AND H.R. 6

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

The PRESIDING OFFICER. The clerk will read the title of the first bill.

The bill clerk read as follows:

A bill (S. 2081) entitled Religious Liberty Protection Act of 2000.

Mr. WARNER. Mr. President, I object to further proceedings on this bill at this time.

The PRESIDING OFFICER. Under the rule, the bill will be placed on the calendar.

The clerk will read the title of the second bill.

The bill clerk read as follows:

A bill (H.R. 6) to amend the Internal Revenue Code of 1986 to reduce the marriage penalty by providing for adjustments to the standard deduction, 15-percent rate bracket, and earned income credit and to repeal the reduction of the refundable tax credits.

Mr. WARNER. I object to further proceedings on this bill at this time.

The PRESIDING OFFICER. Under the rule, the bill will now be placed on the calendar.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. I thank the Chair.

(The remarks of Mr. WARNER, Mr. HUTCHINSON, and Mr. CLELAND pertaining to the introduction of S. 2087 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Oregon.

#### MIGRANT WORKERS

Mr. SMITH of Oregon. Mr. President, every time we have a recess and there is an occasion to go home, invariably we all learn something of significance that helps us in our service in the Senate. I thought I would take to the floor of the Senate today and speak about something I learned, something I experienced which I wanted to highlight. Right now, it is an issue that is sort of a low light in this body.

Earlier in this Congress, Senator BOB GRAHAM of Florida and I introduced a bill to fix our H-2A guest worker program that affects agriculture. Preceding that, Senators GRAHAM and WYDEN and I met with the Secretary of Labor and pleaded for the administration to come forward with some sort of fix to relieve the pressure on the farm labor system. There are enough workers, but you have to settle for an illegal system to conclude that there are enough workers. The Secretary assured



us that something would be forthcoming, but nothing has been.

In the meantime, I have gone forward with this fix of our farm guest worker program in the hopes of getting something through in this Congress that could win the support of the administration and begin to relieve a problem I have now seen in a very human way.

I had scheduled two meetings last Thursday, one in Woodburn, OR, and the other in Gresham, OR. The subject was farm labor. I invited people to come and talk about my bill. I was overwhelmed by what occurred. We met first in an armory in Woodburn. When I arrived, it was already filled to capacity. There were 1,200 people, most of them illegal, in the armory waiting for me to come. They had been there, I was told, for an hour or more ahead of time, hoping to get a seat to hear what was going to be shared. There were so many people in the armory, they had to put a speaker on the outside grounds so that those who could not get in could hear. Some in the media estimated there were 2,000 people in total.

I looked into their faces and saw those who live in our society, those who live in the shadows of our society, those who fill jobs in our society, those who keep our shelves full at home and in our grocery stores, but those who are victimized in the most inhumane way because we have an unworkable law.

I heard all kinds of opinions about my bill. I granted to them that it probably wasn't a perfect bill, but at least I was trying—one of the few who are—to resolve this situation. I thank Senator GRAHAM of Florida for his willingness to step into this issue. One gets lots of arrows in the back when they try to tackle an immigration issue.

What motivates me to do this is almost weekly reports of migrant workers dying in the American deserts of the Southwest, trying to make their way to jobs. These are people who are victimized by human coyotes. They are raped. They are robbed. They are bribed. They are pillaged in ways that are unthinkable, and ought to be unthinkable, in this country. It happens because they have no safe and legal way to come here and to go home, to work a job, to earn their way, and to share the American dream, which is really just a human dream. That was the motive upon which I tackled this issue.

The law we have regarding our guest worker system doesn't work. There are estimates of 2 million illegal aliens in this country working in agriculture. There are estimates of 6 million illegal aliens in the United States. I was trying to focus on agriculture. Let me tell you why this system doesn't work.

First of all, it is economically beyond the pale of most of those in the farm communities who would like to hire them. This is the application. There are hundreds of pages a farmer has to comply with to hire one worker. Conversely, I applied for a job in the Sen-

ate, I had to fill out a two-page document. This is what a farmer has to fill out just to get a worker in a system that is untimely as the crops go unharvested.

We have a broken system. I believe it is estimated about 30,000 in total in this country use this system out of probably 2 million illegal aliens in agriculture. I think it is a given, a manifest failure. We need to make our guest worker law workable. That is a long-term solution. I think we need to do this.

What made my meetings, frankly, more productive and very helpful was a press release from the AFL-CIO, in which they called not for help to farmers and farm workers alone, they called for a general amnesty of all illegal aliens in this country. A general amnesty is something we have done in this country periodically; every few decades we seem to do this. The question now is whether it is appropriate to do that now.

There have been lots of editorial comments about this recently in the Washington Post. There was a very interesting article on this whole issue of farm labor and illegality. The Post said:

Congress has responded sympathetically to the pleas of the high-tech industry to hire more skilled workers from abroad, but it has yet to do anything for employers of those at the bottom end of the labor market—the end where U.S. citizens don't want to work. Now, with a record number of illegal immigrants living in the United States, an estimated 6 million, with most of them working, some even paying taxes and joining unions, it is time to bring our immigration policies in line with what is actually happening in the labor market. It is time to recognize that we need the immigrants as much as they need us.

See, I know in Congress there are a lot of people who make an academic argument that we don't want to reward illegal behavior with a legal document. I understand that, but it doesn't fix the problem. It doesn't deal with reality. These people aren't coming; they are here and they live among us. They live in our shadows and they are victimized on a daily basis in a whole range of ways—bureaucratically, even criminally. It is a shame upon this country that we don't resolve this—short-term and long-term.

I was pleased that in the recent testimony of Federal Reserve Chairman Alan Greenspan he gave support to what I am talking about. Said the Chairman:

It is clear that under existing circumstances, not only in the high-tech and in the farm area, but indeed throughout the country, aggregate demand is putting very significant pressures on an ever-decreasing available supply of unemployed labor. The one obvious means that one can use to offset that is expanding the number of people we allow in, either generally or in specifically focused areas. And I do not think that an appraisal of our immigration policies in this regard is really clearly on the table.

I think we need to put it clearly on the table as a priority of this Congress

to do something about it. It need not be partisan. Regarding the position the AFL-CIO has just taken, I hope they will let me help them. I would like to help them to get a general amnesty. But I think that we also need to fix our broken farm labor system.

For those who say we should not do anything, I don't know what their motive is. I fear too often, though, that it is just anti-immigrant. We rightfully criticize, for example, Joerg Haider, of Austria for his anti-immigrant statement, which recalls a bygone era and a great tragedy. But what is the difference when we have politicians among us who make comments not unlike that about even legal immigration? They don't want anymore of it.

We have the Chairman of the Federal Reserve saying we need workers because we have good employment, but it is predicated on an illegal system. We need these jobs to be filled and we need crops harvested. Right now, we are victimizing farm workers and farmers because farm workers have to live like fugitives among us, and farmers are made out to be felons. We owe the United States something better. But, more, we owe the people at the bottom rung something better. They contribute to our society and they are victimized too often by our society when they make a significant contribution to the abundance that we enjoy as Americans.

So I call on our congressional leadership to bring us together, to fix our H-2A program, but also to pursue the amnesty that has been suggested by the AFL-CIO in this two-pronged approach. We can find a solution and we can treat these people more fairly, like human beings, with the dignity of law and the protection of law and a process that is safe and humane.

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

THE PRESIDING OFFICER (Mr. HUTCHINSON). The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. LOTT. 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. LOTT. Mr. President, let me inquire of the parliamentary situation. Are we in a period of morning business?

THE PRESIDING OFFICER. We are until 12:30.

#### DEFENSE HEALTH CARE BILL

Mr. LOTT. Mr. President, I rise in support this morning of S. 2087, the Military Health Care Improvement Act of 2000. This is bipartisan legislation. It will begin to fulfill a promise of lifetime health care for our military men and women who sacrifice so much for our freedom.

This bill begins a multiyear process to identify and correct the broken promise of lifetime health care to our

military retirees and veterans. I want to emphasize that this is a reasonable and a prudent first step. It is not the end by any means. It is only the beginning of an effort to rejuvenate our defense health care system.

I met an hour or so ago with the Commandant of the Marine Corps. He confirmed that this is an important part of the triad of things that we must do to reinstate the morale and recruitment and retention that we need for our military.

Last year, with S. 4, we addressed two components of that triad: Pay and pension benefits. But this year defense health care is critical. The chiefs have stepped up to this issue and included in the budget what was submitted by the President significant improvements, particularly for health care for our active-duty personnel. But more needs to be done, both for the active-duty personnel, but especially for our retired military personnel.

I am pleased that the Commandant and the chiefs are trying to help us in this effort, and it is going to be one of the most important things we can do this year for the military.

It helps the men and women currently serving in the Armed Forces while also keeping promises to the heroes of America's storied yesterdays without which our prosperous and promising future would have never been possible.

Last year, I was proud to see our colleagues on both sides of the aisle and both sides of the Capitol join in significantly improving two-thirds of the triad that I referred to. I was honored to join my distinguished colleagues on the defense authorization committee in passing the largest pay hike for our uniformed military personnel since 1981.

I remember very well in 1981 when President Reagan came in and said it is unconscionable that we are not paying our military personnel enough to live on. We had that period where they were having to go on food stamps and become qualified for welfare. The significant pay increase they received affected morale and helped us get our military into the position of great strength throughout the rest of the 1980s. But we have lost ground since then.

With the 4.8-percent raise for our men and women in uniform last year, we narrowed the pay differential between military and the private sector, making our All Voluntary Force more attractive to America's best young people and a more viable option for quality men and women who wish to remain in uniform.

Occasionally, I run across people who say, well, how is our All Volunteer Force working? Are they really able to do the jobs? We are getting the best? Sometimes I wonder. And then I have an occasion to go to a military installation to see men and women on Air Force bases—the Little Rock Air Force Base or Keesler Air Force Base, or Me-

ridian Naval Air Station, or other military installations from South Carolina, North Carolina, Georgia, and all across this country—to California.

I am invariably impressed with the caliber of young men and women I see, the knowledge they have, the sophistication of what they have to deal with in aircraft, ships, and in weapons systems. We are doing well, but morale has suffered because of the pay and retention problem, and now health care needs that they depend on for their families. They have this additional problem now of long assignments in areas such as Haiti, Kosovo, Bosnia, South Korea, and around the world. They are away from their families.

We run the risk of seeing our military begin to erode internally by losing these young men and women because of family needs and because of health care needs. We run the risk of not being able to retain our pilots and keep our chiefs, master sergeants, and the sergeant majors. Yes, these generals are fantastic, but who runs the Marine Corps? The sergeant major is the guy who does the work, or the woman who does the work that allows the Marines to do what they need to do.

This legislation is so important. It would substantially improve the health care benefits of our service personnel.

The military medical and dental care systems still do not provide benefits to all that have earned them. And it is possibly the single most important remaining item that addresses and affects the quality of life of our service members, their families, and our retirees.

Today there are the same number of potential beneficiaries, approximately 8 million, as when we began the downsizing almost 10 years ago. However, the resources allocated to military health care have decreased dramatically. We can no longer squeeze blood from this stone. It is empty. Our service men and women, their families, and our retirees deserve better.

The Military Health Care Improvement Act will complete the pay, benefits, and medical triad. The bill is composed of five primary components:

First, it extends existing demonstration programs for the over-65 retirees until the year 2005, including programs such as the Medicare Subvention and Federal Employees Health Benefits Plan.

It also expands the Defense Department's national mail order pharmacy program to Medicare-eligible beneficiaries, with \$150 deductible.

It requires the expansion of the TriCare Remote program in the continental United States for active-duty family members in the Prime Remote program and eliminates copays for TriCare Prime for active-duty family members. It also improves the business practices used in administering the TriCare program.

Fourth, it expands the Department of Defense and Veterans' Administration cooperative programs, directing DOD

and the VA to develop a common set of patient safety indicators for centralized tracking, and it will improve pharmaceutical safety.

Finally, it will initiate two studies to access the feasibility and desirability of financing the military health care program for retirees on an accrual basis.

This bill is only a start, but it is a very sure start. As with last year's efforts to improve the pay and retirement part of the quality of life triad for our military personnel, I am pleased this measure has such a broad bipartisan base of support in the Senate, particularly from my distinguished colleagues on the Senate's defense committees.

Unlike several other bills that are being touted on the Hill, this bill will be fully funded in the Senate's budget resolution of fiscal year 2001. Every year, thousands of bills that would spend millions, even billions, of dollars are introduced in the Congress—and for good purpose, I am sure, almost all of them. However, at the end of the year, few of the new massive programs are passed in view of all the other needs for defense, Medicare, Social Security, education, and transportation.

The key to success is ensuring that funding is included in the budget for the desired program. That is how the pay and retirement provisions of S. 4 were ultimately signed into law. That is how I hope to have the provisions of this bill signed into law. When S. 4 came up at the beginning of last year, some said: This costs too much; we will never get it done. But it was not a massive jump, it was achievable. Moving S. 4 aggressively with the authorization early in the year led to it ultimately being funded.

While I support the ultimate goal of the other bills, I don't know what their final cost may be. We have had estimate ranges of \$8 billion to \$20 billion per year. I believe our Nation should keep its promise of lifetime health care for our military personnel. But I also believe we owe it to all America's taxpayers to ensure we know how we can best meet this commitment, and if we can. As I said earlier, this process will take a year or two or more.

Many in Congress are committed to finding a way to fulfill our Nation's promise to our military members, their families, our military retirees, and veterans. What our military community doesn't need is more empty promises and unrealistic expectations; we need results. That is what this bill, S. 2087, is designed to do. It will give tangible and measurable results.

The broken promise of lifetime health care for our veterans has been a haunting specter in the Halls of Congress for a number of years, and rightly so. I have been hearing concerns about this throughout my career in Congress, both the House and Senate. Of course, the problem goes back to the 1950s when changes were made that led to the problem we have now. It is time we



keep that promise. This calls for concrete, bipartisan legislation that takes a discernible step forward. Our Nation's veterans deserve nothing less. They deserve health care, especially as so many World War II, Korea, and Vietnam era veterans depend on the promise of the Government of the people that they fought so hard to protect.

I urge my colleagues to take a look at this legislation. I thank Senator WARNER for the work he and his staff have done on this bill, as well as my staff who have worked on the Military Health Care Improvement Act of 2000.

I am thankful we have a bipartisan group of Senators who have cosponsored it. I think this is achievable legislation this year. It is the beginning of keeping our promise.

I commend this legislation to my colleagues.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

#### EXTENSION OF MORNING BUSINESS

Mr. LOTT. Mr. President, since the next order of business is the education savings account bill and those Members are currently involved in a very important Finance Committee hearing with regard to China trade, I ask that the morning business period be extended until 2 p.m. today under the same terms as previously ordered.

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

#### EDUCATION SAVINGS ACCOUNTS

Mr. LOTT. I inform our colleagues that the managers on this legislation, the chairman of the Finance Committee and the ranking member, Senator MOYNIHAN, will be available at 2 o'clock and we will begin the process to consider the education savings account bill. I certainly support this legislation. It has broad support across the country. We did pass it a couple of years ago. It was vetoed by the President. But it is a bill whose time has come.

People should be able to save for the education of their children, for their needs in education—whether kindergarten, 4th grade, 10th grade, or 12th grade. We need to allow parents who can and want to, to save for their needs, whether it is a computer for their child, whether tutoring, remedial assistance in reading, or whatever it may be. It is unconscionable that we can do that for a child's higher education but not for their education needs in the fourth grade.

Some say it will benefit middle-income people and upper-income people

who can afford to save for their children's needs. That is fine. The important thing is to help our children, all of our children, at the lowest economic level, but also to encourage savings across the board for education in general.

I am glad we will have this full debate. I commend Senator COVERDELL for his pertinacious support for this legislation. He is dogged. He will not quit. I predict this bill will become law.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

#### INTERNET PRIVACY

Mr. TORRICELLI. Mr. President, if Americans knew that every time they walked through their local shopping mall or wandered through the shopping district of their hometown their movements were being tracked, every purchase was being recorded, and every conversation was being monitored, they would be outraged. Americans would consider this level of surveillance a violation of their most basic constitutional right. Yet that very expectation of privacy we expect in our traditional shopping in the local mall, or our visiting with friends, or searching for information in our hometown is exactly what is not happening in the shopping center of the 21st century in cyberspace.

Whenever a citizen ventures online to pay a bill, seeks medical advice, purchases a product, checks the latest news, or engages in a conversation on the Internet, there is a chance that someone is gathering information about us, recording their information, and then selling it, or giving it to others. It is a very disturbing new look at a very exciting new technology.

Indeed, there are companies now being formed for the specific purpose of monitoring our travels through cyberspace and recording this very information.

The situation, while unsettling, does not need to necessarily be menacing. Marketing both online and offline is very common in our daily lives. By collecting some of this information, businesses, indeed, can benefit, if they know the kind of products we want, what our tastes might be, our sizes, and our preferences in what we want to read and want to purchase. The question is whether consumers can control that information because, indeed, companies having access to this information can be more efficient and allow our time to be used more efficiently. I may want a retailer of clothing to know the kind of clothes I want to buy

so that I receive the proper advertising. I may want a book company to know the things that I like to read and my areas of study so I can receive products more properly.

That is having information used at its best. One can only imagine how it can be used at its worst.

This information about what I want to read in the wrong hands can reveal my most private political thoughts that I would rather have others not know. It could reveal sexual orientation or party affiliation. Indeed, if I seek medical advice online for psychiatric care or for a disease for myself or a child or a mate, it very well probably would be information I wouldn't want generally available to other people for commercial purposes, political purposes, or worse.

Too often web sites underinform or misinform the public about how they intend to use this information or have presented work to be used improperly or where it can be misused. The fact is that over 90 percent of our most popular web sites do not reveal that they gather and share consumer information with other businesses. And if the public knew that 90 percent of these sites were sharing this information, we as consumers and citizens would be more careful about what we reveal or what we purchase.

A 1999 Georgetown survey also concluded that only 36 percent of leading web sites that admit to gathering information fully explain how they intend to utilize it. So the consumer, the citizens, are not able to make an informed decision about what information they are providing and what risks they might be taking.

Many consumers are now being informed through the popular media that without our consent or knowledge, programs known as "cookies" monitor and collect information regarding our web site browsing habits.

Personal data is also routinely extracted directly by web sites whenever we transmit the information required to purchase a product or surf the net for a specific topic.

In both cases, our actions are monitored and our information will be shared unless we specifically request that a company do not do so, a process known as opting out.

Opting out requires that a user directly contact a site to decline disclosure. The problem with opting out is that the location on web sites where one clicks to opt out, to take your information out of circulation, is often not prominently displayed and therefore is not known by the consumer.

One leading marketing company that tracks 80 million online consumer profiles has revealed it receives an average of only 12 opt out requests per day; 80 million customers, 12 opt out per day.

It is unlikely that only 12 people are concerned about privacy of their purchases or other vital personal information. I suggest to the Senate it is much more likely that the opt out location

on the web page is obscured or in some form inadequate.

Privacy policies meant to inform users of both the scope and scale of this information are very often inaccessible. A recent California Healthcare survey of 21 popular health care sites reveals many sites have secretly shared personal health information with marketers despite the fact that privacy policies were posted. Often the opt out sites are not adequately displayed. They often are misleading. Sometimes, as this study by California Healthcare indicates, they are just plain dishonest.

There are, however, solutions. I believe these solutions are important to protect privacy. I remind those who are now marketing on the Internet and share my enthusiasm for the potential of the Internet for economic purposes that we have a common interest. If consumers do not believe their interests are protected regarding safeguarding their most vital personal information, the Internet will never reach its true economic potential. This point bears repeating. This is vital for privacy in our society and personal confidence in the Internet, but it is equally vital for the Internet in meeting its economic potential.

Great segments of this society are going to be reluctant to purchase books, health care products, seek information, and exchange ideas if they do not know whether the information is safeguarded. It is no different than citizens using the telephone to convey information, exchange political ideas, or purchase products, if citizens did not have some idea that their every phone conversation wasn't being monitored. It wouldn't be any different than citizens visiting the local shopping mall, meeting friends, engaging in conversations, going to restaurants, or purchasing products, if they knew that over their shoulder someone was recording everything they did and everywhere they went. This is vital economically as well for the privacy of our citizens if this new, wonderful technology is to meet its economic potential.

To deal with this problem, I have introduced S. 2063, the Secure Online Communication Enforcement Act of 2000. This legislation is not a final product, I stress to privacy advocates and to the Internet industries and online companies. It is not a final product. It is establishing, I hope, a national dialog first to educate ourselves about the privacy problem in cyberspace. It is a beginning document to which I invite comment and amendment. Its purpose is simply to begin collecting ideas of how to enhance privacy. But it is built on the concept of opting in versus opting out; that is, that the consumer, the citizen, must make a choice about whether they want this information shared. So the consumer, the individual, holds the power.

If I believe a company can better market to me—and, indeed, I believe a company can better market to me if

they know my taste in music, my taste in reading, my taste in clothing or automobiles—I can decide that I want that information shared, given to other companies, and come back to me with good information. However, if I don't want something shared—perhaps I have gone online with a health care company and I prefer my health information not be shared—I do not opt in, I do not give anybody the right to give that information.

A second vital part of this bill: I strongly believe government oversight and regulation of the Internet should be kept to a minimum. That is one reason I have opposed steadfastly a sales tax on Internet purchases. This is one area of American life where the government should keep its presence to an absolute minimum in taxation and regulation. For that reason, this legislation is self-enforcing. No government bureaucracy will be calling if there is a violation. If, indeed, a company violates a citizen's privacy, the right of action is with the citizen, not the government. There is a legal right of action when sharing my personal information which I have said will not be shared. If I did not give anyone that right, then I as a citizen will hold them liable for doing so.

Those twin pillars are: As a citizen, I decide whether to share my private service; second pillar, as a citizen, I and not the government have the right of action to enforce it.

I have introduced this new legislation to begin this dialog, S. 2063, the Secure Online Communication and Enforcement Act of 2000. I hope it is helpful to my colleagues. I hope a good and worthwhile debate proceeds in the Senate, in our country, and, mostly, within this vital industry. If we can get this right, we not only do service to our people by protecting their privacy, as is our cultural and constitutional tradition, we also do a great deal to reinforce public confidence in the Internet, cyberspace, as a new arena of economic commerce and competition. We can bring the Internet to reach its true economic potential.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. DODD. Mr. President, parliamentary inquiry: What is the business before the Senate?

The PRESIDING OFFICER. The Senate is in morning business.

Mr. DODD. Mr. President, are there limitations on the amount of time Members are allowed to speak?

The PRESIDING OFFICER. Ten minutes.

## EDUCATION

Mr. DODD. Mr. President, while legislation is not presently pending before the Senate, I understand that the leadership intends to soon call up an education proposal by Senator COVERDELL, a tax cut that would allow families with an adjusted gross income of up to \$95,000 for single filers, \$150,000 for joint filers, to make contributions to individual retirement accounts up to \$2,000 per child for K-12 education expenses, including private school tuition, during the tax periods from the year 2000 to 2003. As I understand it, the revenue loss of this proposal is somewhere in the neighborhood of \$1.3 billion. I believe I am correct in so characterizing this proposal.

First of all, I am somewhat surprised this legislation is coming up at this time. We are about a week away from the education committee of the Senate reporting out, I hope, a bill on elementary and secondary education. We are required under law to authorize the Elementary and Secondary Education Act once every 5 years. That bill actually tolled last year but obviously we are still in this Congress, so we have an obligation to report to our colleagues our thoughts and solutions on the needs in elementary and secondary education in this country. The Committee on Health, Education, Labor, and Pensions, of which I am a member, has held something in the neighborhood of 20 to 25 hearings over the last year and a half on this legislation, and I have listened to literally dozens and dozens of witnesses about how we can do a better job improving the quality of education in this country.

I know in the last week or so, in surveys done by polling operations that are both of the Democratic persuasion and the Republican persuasion, they have indicated what most of us knew already, that education is the single most important issue the American public thinks we need to address. I think the numbers were 38 percent of the American public listed education as the lead priority issue that Congress ought to deal with, on which the American people would like to see us focus more attention. Education placed higher than the public's concerns about Social Security and Medicare by some three points, and health care by seven points. Those were the top three responses: education, Social Security, and Medicare, and health care generally, with education surpassing those concerns with some 38 percent.

It is appropriate this Congress deal with education. What I am stunned by is that 1 week away from action by the major committee charged with the responsibility of dealing with education issues, the leadership has decided to bring up the Coverdell bill rather than waiting for the committee product to come out, after having waited now a year and a half for it. So on one level I am disappointed that the leadership has decided to bring up this legislation prior to the education committee's

markup of the Elementary and Secondary Education Act.

Further, I take particular issue with the legislation that will soon be before us, the Coverdell proposal. I have a lot of respect for my colleague from Georgia, Senator COVERDELL, but he and I have significant disagreements on some issues, and on this one particularly. Let me inform my colleagues what this bill would do. Obviously, a tax break designed to help defray the costs of education for grades K-12 sounds very good. It is a lot of money, \$1.3 billion. But let me explain specifically how this legislation would actually impact people's tax obligations.

According to a Joint Tax Committee report, which is an objective committee that is not supposed to take partisan issue with any particular bill, the average benefit per child in public schools would be \$3 in the year 2001, \$4.50 in the year 2002, and \$6 in the year 2003, reaching a high mark of \$7 in the year 2004, or a total of \$20.50 over 4 years. That is \$1.3 billion in lost tax revenues to provide the average taxpayer with \$20.50 in tax relief. That is going to be the answer to how we improve public education in this country, this legislation purports.

No one is going to suggest that this Congress has a perfect record on tax cut proposals, but I noticed recently in a national survey that only some 13 percent of the American public thought at this juncture a tax cut was necessary, that they would rather see us spend the surplus we are accumulating, the non-Social Security surplus, on Social Security, Medicare, and educational needs in this country. While people certainly like the idea of a tax cut, they like better the idea we are reducing our national debt. Shouldn't we be working to eliminate the approximately \$220 billion in interest payments we pay each year on the national debt? What greater gift could this generation give to future generations than ensuring their National Government would be free of debt?

Almost without exception, Americans would rather we reduce our national debt than receive \$20.50 over 4 years for an educational tax benefit proposal that is not going to do much at all. If your child is enrolled in a private school, \$20.50 will provide very little assistance. The decision of whether or not to take \$1.3 billion of taxpayer's money and give people, on average, \$20.50 as opposed to paying down the national debt or dealing with Medicare or dealing with broader educational needs, I think is an easy one. I don't think we need much persuasion—I hope—when these clear choices are before us.

Certainly with \$20.50 we are not going to get smaller class sizes, which most Americans think is important. Certainly we are not going to get better qualified teachers, which most Americans think is important. This legislation is not going to modernize crowded, old, and unsafe school facilities. It is

not going to wire these schools so students have the advantage of the Internet and modern technology to better prepare them for their futures. It is certainly not going to help school districts cope with the costs of special education.

There is an issue, however, that we do have the opportunity to do something about. If you want to take \$1.3 billion and do something, and if paying down the national debt doesn't impress you, why not do something about special education costs? Why not take the \$1.3 billion and apply that towards the Federal Government's commitment to local communities to help them meet their special education costs? Our respective States know well the complaints of our mayors and our county executives, that the cost of special education is rising all of the time. They also know the Federal Government made a commitment years ago pledging 30 to 40 percent of the cost of special education services.

The Federal Government has never gotten above 13 percent of that commitment. If we want to do something meaningful for our communities, be they Colorado or Connecticut, if we want to spend this money on education, why not return the money to our States and allow them to meet the costs of special education? I promise you, there is not a mayor in this country, there is not a county executive in this country, there is not a school board in this country that would not applaud a decision by this body to provide some meaningful help on defraying the costs of special education. Believe me, if the choice is one between helping our local school districts or giving \$20.50 over 4 years as a tax break to the people in their communities, they will take the special education option every time.

I intend to offer an amendment to the underlying bill. At the first opportunity, I am going to offer an amendment that will take the \$1.3 billion and apply it to special education and let us do something meaningful in our respective States.

Let me share with my colleagues the background on the special ed proposal.

In my view, it is a waste of fiscal resources to be spending \$1.3 billion on this minor tax break, \$20.50 over 4 years. One cannot buy hamburgers for a family of four at MacDonald's or Burger King with this amount of money. As I said earlier, however, these funds can make a difference in the area of special education. Let's take a look at how my proposal will make a difference.

It will strengthen public schools by assisting them with the very high cost of special education. Upon enactment of the Individuals with Disabilities Education Act in 1975, the Federal Government committed to State and local school districts that it would contribute 40 percent of the funds needed to provide special education services. Twenty-five years ago we made that commitment.

Presently, the Federal contribution to special education is 12.7 percent of the total special education costs. The Federal Government today would need to boost its IDEA funding an estimated \$15.7 billion to live up to its original commitment. I am not suggesting \$1.3 billion is going to get us to the 40 percent level, but it would be a major step in the right direction.

The amendment that I plan to offer will redirect the \$1.3 billion over 4 years that the Coverdell amendment applies, to aid State and local school districts in providing the critically important special education services that children with disabilities deserve. This proposal will truly do something for our communities, I suggest to my good friend, the Presiding Officer, in his wonderful State of Colorado and my State of Connecticut. This will truly make a difference. This proposal will strengthen these local school districts.

I believe it is better for us to take this money, which the Coverdell legislation will take out of general revenues of the Treasury, and apply it to something for which our constituents and our communities will be grateful. Mr. President, \$20.50 does not put a dent in our real education needs.

I emphasize, again—and this is the first point I made—I am somewhat disappointed we are bringing up this proposal just days away from the Committee on Health, Education, Labor, and Pensions reporting out its bill on the elementary and secondary education proposals, as we have done historically over the years. But 5 or 6 days before the committee acts, after all the hearings the committee has held, all the time that has been invested by Republicans and Democrats on the committee who care about education and have listened to people from across the country offering their suggestions on how we can best improve the quality of education, it is a great pity, in my view, that we are going to disregard that exercise and come right to the floor with a tax-cut proposal that does little or nothing to improve the quality of education in our country.

At the appropriate time, I will offer an amendment that will require this \$1.3 billion to go directly to our school districts, to our communities, to provide the financial support they can use, given the high cost of special education in communities all across the country, and help us get closer to fulfilling that commitment we made 25 years ago of meeting 40 percent of the costs of special education.

I have offered this amendment in the past. This amendment has had bipartisan support. When I offered this amendment in 1994, the majority leader, Senator LOTT, supported the amendment, as did Senators GORTON and JEFFORDS. However, eventually we came short of the majority necessary to adopt the amendment.

In fact, the distinguished majority leader, Senator LOTT, to his great credit, when he and I served together on

the Budget Committee years ago supported a similar amendment to the one I'm proposing today. When I offered an amendment in the Budget Committee that would require that over a number of years we increase the federal contribution to special education to 40 percent, it unfortunately fell on a tie vote.

As some people are aware, the Federal Government commits only 7 cents on the dollar to fund elementary and secondary education services in this country. Seven cents on the dollar is what we do; 93 cents on the dollar comes from the States and local governments, and most funding for education comes from local taxation.

My proposal offers a way for the Federal Government to provide some real tax relief at the local level for special education costs that these communities must raise in order to meet their obligations under the Individuals with Disabilities Education Act.

I am hopeful that, while this amendment has not been adopted in the past, given the choice between a \$20.50 tax break over 4 years and taking \$1.3 billion and sending it back to our communities to help them meet their special education costs, this amendment may prevail this time. Our children with disabilities and our communities deserve our support. I then hope we can move on to the real business of continuing our work on the Elementary and Secondary Education Act.

#### RECESS

Mr. DODD. Mr. President, I ask unanimous consent that the Senate stand in recess until 2 p.m. today.

There being no objection, at 1:10 p.m., the Senate recessed until 2 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. GREGG).

The PRESIDING OFFICER. The Chair, in his capacity as a Senator from the State of New Hampshire, suggests the absence of a quorum.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

The majority leader.

#### AFFORDABLE EDUCATION ACT OF 1999

Mr. LOTT. As we discussed earlier and agreed to, I now ask unanimous consent that the Senate turn to Calendar No. 124, S. 1134, the education savings account bill.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1134) to amend the Internal Revenue Code of 1986 to allow tax-free expenditures from education individual retirement

accounts for elementary and secondary school expenses, to increase the maximum annual amount of contributions to such accounts, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. LOTT. In order to keep the Senate on the subject of the education savings accounts, I ask unanimous consent that the bill be pending today for debate only.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LOTT. Mr. President, I hope when the Senate resumes the bill tomorrow, that all amendments will be relevant to the education savings account issue. I intend to ask that our Democratic colleagues at a later time agree to that. In the meantime, I expect vigorous discussion today about this very important education issue and how we can all have an opportunity to be helpful to our children in K through 12th grades.

In light of the agreement, there will be no votes during today's session. I remind Members that a rollcall vote is scheduled to occur tomorrow at 11:30 a.m. on the Iran Nonproliferation Act. There is a likelihood that there will be more votes Thursday afternoon, perhaps on Executive Calendar items. We will notify Members of any nominations that might be considered. If votes are required, then we will notify Members on both sides of the aisle exactly what time that would occur.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. We are very grateful that we have an opportunity to talk about education. There are many things that we need to talk about as it relates to education. Certainly, this is a step in the right direction.

I personally believe very strongly about the fact that in America we have 3,000 children dropping out of high school every day—3,000 children who are going to be less than they could be. I think we need to do something about that.

On a number of occasions we have attempted to move legislation forward that would help create a dropout czar in the Department of Education to adopt some of the educational programs that are working around the country.

We in Nevada are particularly concerned with the dropout rate. We have the dubious distinction of leading the Nation in the rate of high school dropouts. We really need to do something about that. This problem is making our country less productive. It is making the State of Nevada less productive. For this reason alone, I think it is important that we start talking about education.

I do say that on the education savings account issue—of which there will be some discussion today by the ranking member of the Education Labor Committee, who will talk in more de-

tail about this—but as the Senator from Massachusetts knows, we could take all these programs, including education savings accounts, and lump them together, and very few people would be helped. We need something to help public education generally.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. ROTH. Mr. President, I am disappointed that we have failed to obtain a unanimous consent agreement to limit amendments with respect to S. 1134, the Affordable Education Act. I hope that we will move towards passage of this very significant bill. The importance of giving American families the resources and means they need to educate their children must be above politics.

I will soon take a few minutes to walk through the various provisions of the bill. But before I get into the specifics, let me remind my colleagues that all of the concepts in this bill should be very familiar.

This bill is an A+ for American education. Its concepts should be familiar because we have already endorsed them. The base provisions in the bill—which include the increase in the maximum allowable contribution to an education IRA, the use of the IRA for elementary and secondary school expenses for public and private schools, the tax-free treatment of State-sponsored prepaid tuition plans, and the extension of tax-free treatment for employer-provided educational assistance—all received bipartisan support from the Finance Committee in the Senate as part of the Taxpayer Relief Act of 1997.

Despite this Senate support, these provisions were dropped from the bill during conference negotiations. Because of opposition from the administration, these particular elements failed to be included in the final version of the Taxpayer Relief Act of 1997.

In addition, these proposals were included in legislation sent to the President in 1998. Unfortunately, the President vetoed that legislation.

These bipartisan proposals were included in the Taxpayer Refund and Relief Act of 1999, which passed last year. Unfortunately, the President vetoed that legislation, as well.

But we must not lose heart. The cause of affordable education is too important. I hope this time we can succeed for the American people.

We are here today to show our commitment to affordable education and to enact what this body determines makes good sense for American families.

It is important to note that this tax bill is not designed to answer all the education-related issues that face this country. Many issues are too varied and complicated to be addressed by the Federal Government. They need to be solved at the State and local level—by schools, by teachers, and by parents working together.

Instead, this bill is designed to build on the innovative concepts that have been introduced in the last few years. Our goal is to fix the Tax Code so that it provides the necessary incentives to help American families help their children. These are much needed tools.

From 1992 through 1998, tuition at a 4-year college increased by 234 percent. During that period, the average student loan increased by 367 percent. In contrast, median household income rose only 82 percent during that period and the Consumer Price Index rose only 74 percent. Our students, our families, need these resources to help them meet the costs and realize the opportunities of a quality education. I hope my colleagues continue to recognize just how important they remain. The American people are counting on us.

Let me take a few minutes to describe the various provisions of the bill, to provide an overview, and to highlight some reasons these measures are so important.

As I already mentioned, the bill increases the maximum education IRA contribution from \$500 to \$2,000. That increase is important on two levels. First, with the well-documented increase in education costs, it is essential that we provide American families with the resources to meet these costs.

I have long argued that it is essential to change the savings habits of the American people. There are few things more important than the education of their children. Not only will saving in this way increase our investment capital, it will increase Americans' education capital as well. Anything that thwarts either of these objectives is shortsighted.

By using the Tax Code to encourage individual responsibility for paying for educational expenses, we all benefit. The expansion of the education IRA will result in greater opportunities for individuals to save for their children's education.

Besides being too low to give parents the necessary resources to pay for the cost of education, the current \$500 limit fails from another practical perspective. As we all know, any banker or broker who provides an IRA account faces assorted administrative costs for each account. To ensure they can adequately cover their administrative costs, most brokers or banks impose a minimum account balance, and in many cases the maximum balance has been set well higher than \$500. That reality of the marketplace has the effect of limiting the availability of the educational IRA to American families.

Another reality is that confronted by a \$500 limit. Many mutual fund companies find it is not worth their while to spend money on marketing the educational IRA. It is a fact of life that regardless of what we say or do in Congress, many families only know about the benefits of an educational IRA through the marketing efforts of their local mutual fund companies and banks. These businesses have been very

successful in marketing IRAs with the higher contribution limit. If we want to maximize the involvement of American families in education IRAs, we need to ensure that the accounts make economic sense from the perspective of the companies offering them.

The next major change this bill makes to education IRAs is that it allows withdrawals for education expenses for elementary and secondary schools and for both private and public schools.

As we recognized last year, it is a fundamental principle that a parent should have the right and the ability to make decisions about his or her child's education, to decide basic questions such as how the child shall be educated and where the child should attend school.

In 1997, for example, when Congress passed a variety of provisions targeted to higher education, we made no distinction between private and public schools.

We did not say, for instance, that an education IRA or a HOPE scholarship would only be available if a student attended public school. We did not say that a student who attended the University of Maryland would receive a tax benefit but a student who attended George Washington University would receive nothing.

This bill recognizes that, just as for higher education, we should not establish a priority system where some elementary and secondary schools are favored over others. We should not forget that it is the taxpayer who funds the educational IRA, that it is the parent who puts his or her hard-earned money into the education IRA.

It seems a matter of common sense, therefore, that the parent should be able to choose how to spend that money and the parent should be able to choose where to send their children to school.

Moreover, parents with students in elementary and secondary school need our help to cope with the costs. It is simply not true that only rich kids attend private elementary or secondary schools. For instance, recent data from the National Catholic Education Association indicate that almost 70 percent of the families with children in Catholic schools have income below \$35,000, and almost 90 percent of those families have incomes below \$50,000. Why should those children not have access to these accounts?

Another provision in this bill makes State-sponsored prepaid tuition plans tax free, not simply tax deferred. This is a significant distinction because it allows students to withdraw the savings that accumulate in their prepaid tuition accounts without paying any tax at all. That means more money for children's education. It also means parents have the incentive to put money away today, and their children have the full benefit of that money without any tax tomorrow.

As I have already mentioned, at least 43 States have prepaid tuition plans in

effect. This means most Members of the Senate have parents and students back home who either benefit from the plan right now or will benefit from the plan soon. I am pleased to see my home State of Delaware has already acted in this area. Delaware parents can now save for college on a tax-deferred basis. But if this bill becomes law, these Delaware families will be able to save for a child's college education on a tax-free basis.

The prepaid provision also covers networks of private college plans. This will enable still more parents and more students to save for college.

The Finance Committee bill also extends tax-free treatment of employer-provided educational assistance for graduates and undergraduates through June 30, 2004.

This particular program is a time-tested and widely used benefit for working families. Over 1 million workers across America receive tax-free employer-provided education. This allows them to stay on the cutting edge of their careers. It benefits not only them individually but their employers and, of course, the economy as a whole. With the constant innovation and advancing technology of our society, it is vitally important that we continue this program.

The Finance Committee hearings demonstrated the crushing debt burden faced by students coming out of college. I can tell you about this debt burden from Delaware families. I am sure I am not alone. To this end, the Finance Committee restores the student loan interest deduction in the Taxpayer Relief Act of 1997. This bill goes another step further and simplifies and expands the deduction for more students.

The Finance Committee does even more than address the cost of attending school. In response to concerns from Members on both sides of the aisle, the Finance Committee agreed on some measures to provide relief in the area of school construction.

The first provision is directed at innovative financing for school districts. It expands the tax-exempt bond rules for public-private partnerships set up for the construction, renovation, or restoration of public school facilities in these districts. In general, it allows States to issue tax-exempt bonds equal to \$10 per State resident. Each State would be guaranteed a minimum allocation of at least \$5 million of these tax-exempt bonds. In total, up to \$600 million per year in new tax-exempt bonds would be issued for these innovative school construction projects.

This provision is important because it retains State and local flexibility. It does not impose a new bureaucracy on the States. It does not force the Federal Government to micromanage school construction.

The provision is also important because it promotes the use of public-private partnerships. Many high growth school districts may be too poor or too

overwhelmed to take on a school construction project itself. But with these bonds, these districts can partner with a private entity and still enjoy the benefits of tax-exempt financing.

It is worth noting that there already is a significant Federal subsidy for school construction. Under current law, States and localities can issue debt that is exempt from Federal taxation. This benefit allows them to finance school construction by issuing long-term bonds at a lower cost than they otherwise could.

Moreover, the evidence shows that States and localities are taking advantage of this benefit. In the first 6 months of 1996, voters have approved \$13.3 billion in school bonds, an increase of more than \$4 billion over the first 6 months of 1995. The bottom line is that many States and localities are doing their homework, passing bonds, building and renovating schools, and enjoying favorable treatment under the existing Tax Code. They are doing all this without significant Federal involvement.

I do not have to remind colleagues that school construction has always been the province of State and local governments. President Clinton himself stated in 1994 that the construction and renovation of school facilities has traditionally been the responsibility of State and local governments, financed primarily by local taxpayers. In that respect, I agree with the President.

Well, there is a second bond provision in this bill. That provision is designed to simplify the issue of bonds for school construction. Under current law, arbitrage profits earned on investment unrelated to the purpose of the borrowing must be rebated to the Federal Government. However, there is an exception, generally referred to as the small issuer exception, which allows governments to issue up to \$5 million of bonds without being subject to the arbitrage rebate requirement. We recently increased this limit to \$10 million for governments that issue at least \$5 million of public school bonds during the year.

The provision in the Finance Committee bill increases the small issuer exception to \$15 million, provided that at least \$10 million of the bonds are issued to finance public schools. This measure will assist localities in meeting school construction needs by simplifying their use of tax-exempt financing. At the same time, it will not create incentives to issue such debt earlier or in larger amounts than is necessary. That is a type of targeted provision that I believe makes good sense.

Finally, as we all know, the Tax Code is too complex. As chairman of the Finance Committee, simplification of the Tax Code is one of my top priorities. This Finance Committee bill provides for coordination between education IRAs, prepaid tuition plans, the HOPE scholarship, and lifetime learning credits. This provision will mean that parents will not lose the benefit of the

HOPE scholarship and lifetime learning credits when they use an education IRA or a prepaid tuition plan.

It is clear that the Finance Committee bill contains numerous important provisions for the American family.

As I have already said, many of these measures are ones the Senate passed last year. Anyone—students or parents—who is on the front line dealing with the cost of a quality education must have been disappointed in 1997, in 1998, and in 1999 when the President failed to agree to give any student or parent all the tools they needed.

American families understand the need for these measures. American families have now been waiting for several years. Let us not disappoint them any further. Let's not keep them waiting any longer. Let's move forward. Let's pass the Finance Committee bill now.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, it is now Wednesday, the 23rd of February. It is just about a week after the President of the United States sent his budget to the Congress where he outlined his request of the Congress for a very extensive education priority—more than \$4.5 billion measured just in financial terms over the previous years—specifying in great detail, the priorities he placed in strengthening our education system.

I think any American who listened to the President's State of the Union Address would have to conclude that the President spoke for all Americans when he said the primary priority for all Americans was in the area of education and also that we ought to try to find partnerships where the Federal Government can work with the States and local communities in order to strengthen our K through 12 education system. Both the President and all of us in this Congress understand that we have some very important pieces of legislation before the Committee on Health, Education, Labor, and Pensions. We will reauthorize the ESEA, a composite of different pieces of legislation, that is primarily targeted in terms of the most disadvantaged children and children in greatest need.

I, as ranking minority member of the Committee on Health, Education, Labor, and Pensions, want to take this time now to commend our chairman, Senator JEFFORDS, for the time he has taken to try to examine and bring that legislation as a priority item to the floor of the Senate so we can take action. Even though we are in the Senate for a relatively short period of time, we are going to have the opportunity to debate that legislation, which primarily is \$8 billion, which is focused on the neediest schools and poorest children.

There are other funds in terms of school construction. There are other funds in terms of math and science pro-

grams. There are additional funds in the Elementary and Secondary Education Act. That has really been the vehicle on which I think most of us thought we would begin the debate in this Congress on the issue of central importance to the American people—on education.

I can say, as someone who has served on the education committee now for 38 years, that we have had a remarkable sense of bipartisanship in working through education. It has only been in the last 10 years we have even voted in the committee. We had votes on the floor of the Senate. But by and large, under the leadership of Bob Stafford, a Republican from the State of Vermont, under the leadership of Claiborne Pell, a Democrat from Rhode Island, and even back to the period of Lister Hill in the early 1960s when many of these pieces of legislation were initially passed, we didn't really have a great deal of partisanship. It was understood that education was something on which we freed ourselves from involving partisan disputes. It has only been in the most recent times we have had that.

That doesn't mean a good debate and discussion on education policy is not helpful in terms of trying to find out the most sensible and responsible ways we would proceed. But it does come as some surprise to the members of our committee, quite frankly, that we have had some 20 days of hearings and we are in the process of attempting to mark up this major piece of legislation and bring it to the floor so we can have a full debate and discussion on the measure.

Just to put this tax legislation in some perspective, the President's budget in terms of education will be about \$40 billion this year, \$4.5 billion over last year. The measure which is being offered on the floor of the Senate as the principal Republican measure comes to approximately \$225 million per year—\$1.2 billion over 5 years.

Not that you can't do a good deal with \$1.2 billion over 5 years, but when we are talking about the magnitude of our involvement in terms of what the parents of this country have said they want to have happen in their local schools and local communities across this country, I am somewhat amazed. I am amazed that the Republican leadership would recommend—as they did and as is their power to do—that we are now considering this legislation of \$1.2 billion over 5 years, \$225 million a year, that will provide an average benefit of \$7 per family, according to the Joint Tax Committee, which is neither Republican nor Democrat.

We are now 4 weeks into the session, I can't believe we have any more important priority for the Senate than the issue of education. We should be debating real solutions to real problems, such as overcrowded classrooms, crumbling facilities and unsafe school buildings, and the lack of qualified teachers



in classrooms, accountability for results, and adequate after-school opportunities.

We certainly have been waiting to debate the issue of health care. I look forward to our meetings as a member of the conference committee on the Patients' Bill of Rights for next week. But that was long past in the Senate last year. We were just about getting to it.

We still have not been willing to address a minimum wage increase for the hardest working members. We always hear from the Republican leadership that we haven't the time to debate a 50-cent-per-hour increase for minimum wage this year and 50 cents next year. We haven't the time to debate that, although we are committed this afternoon to no votes. We are not able to debate an increase in the minimum wage for the 12 million Americans—mostly women benefit, mostly children benefit, mostly men and women whose skin is not white benefit. We don't have time to debate that. No. We haven't the time in the Senate to do it the fourth week into the session. No. We are going to debate this issue which is valid at \$225 million—which we ought to be about debating as well.

I want to review this very quickly. As I say, if we ask parents back home what they are most concerned about, what comes out on every single review about things that the parents are most concerned about, it is discipline and safety in the schools.

It is no surprise that under the most recent studies in 1999, the top concerns of parents are safety and discipline in the schools—safety and discipline in the schools.

With the relatively small amount of resources we provide to local communities, 7 or 8 cents out of every dollar, what can we do in the Senate to help local communities have greater safety and discipline in the schools? That is what parents are concerned about. That is what we want to debate. It is on that which we want to call the roll. But no, we will debate whether there will be tax provisions that benefit some, to the tune of \$225 million, an average of \$7 per family.

It is a shame to mention the polls because it is self-evident what parents want is a well-trained teacher in every classroom for their children. We don't need a poll for that. They want teachers who know how to teach, who know the importance of support, and teacher mentors who help in the classrooms. They want smaller class sizes. That is the way to deal with discipline. That is the way for academic achievement and accomplishment.

We can debate what the records are with the STAR programs in Tennessee and other States that show significant academic achievement. Why are we not supporting those? Why do we not take programs that benefit children and replicate them? No, no, we have to debate this other piece of legislation, the \$1.2 billion over 5 years. We cannot debate

class size, we cannot debate improving the quality of education, we cannot debate afterschool programs, we cannot debate modernizing schools, we cannot debate how to assist special needs children. No, we cannot do that.

What do the various important bipartisan studies show? On the priorities for parents, No. 7 is creating educational savings accounts to help parents pay for educational expenses for children. That is what we are debating.

No. 6, modernizing and rebuilding schools and wiring all classrooms for computers and Internet. That is a priority—the digital divide. Make sure every public school will be included on the Internet; make sure all the curriculum will be adequate in order to be able to teach these children; and to make sure the teachers know how to use that technology.

No. 5, establish national academic standards and tests for students. More and more of the States are doing so. Almost all of the States have done it in certain classes, even this year.

No. 4, reduce class size to 18 students in grades 1 through 3.

No. 3, increasing the salaries of teachers. Are we debating that this afternoon? No, we are talking about the IRAs for parents that will be valued at \$7 per family. We are not allowed to have any of these amendments or vote on them this afternoon.

No. 2, train teachers in technologies, computers, and Internet.

No. 1, establish national certification standards for teachers, meaning we will have good teachers in every classroom.

That is what American parents want. That is what the Democratic Party wants. That is what we ought to be debating on the floor of the Senate this afternoon. It is on that which we ought to call the roll.

But no, no, we are working on priority No. 7, to create educational savings accounts to help parents cover those expenses for the children.

I think this is a great tragedy this afternoon. If we accept the Coverdell bill this afternoon, I will not vote for it. I believe if we are going to have the \$1.2 billion, it can be better spent getting more qualified teachers, smaller class sizes, afterschool programs, computers, special needs children.

If we pass the \$1.2 billion program, it will not mean a single better trained teacher in any classroom in this country. None. It will not mean a single smaller class. It will not be an afterschool program. It will not provide help and assistance to special education needs children. It does not help any of the older schools that are crumbling. It does not provide a new computer in a classroom. It does not make a school safer. It does not stop overcrowding. It does not move children out of some of the trailers and into the classroom. It does not respond to what the General Accounting Office pointed out is the \$112 billion needed to make the basic schools livable in our society.

We do not add a nickel to any of those priorities. It does very little in terms of providing help and assistance to the children in the public schools.

What are the various groups saying? Not that we ought to be dictated to by the various groups; we do not find real support from the primary groups interested in working with the Congress. We can find some support if this were to be used in terms of higher education, as an add on, but we do not find support from teachers; we do not find support in terms of the Chief State Schools Officers, or the Council of the Great Schools; we do not find support in terms of any of the special education programs; we do not find support with the parents; we do not find support with the school boards; we do not find support with a number of groups—I have a list of over 75.

My regret is that we are being denied the opportunity to get into the more substantive matters that are of central importance to parents whose children are going to the public schools.

We ought to have a good, sound debate about what we are going to do to have better trained teachers. With scarce resources, who wants to put funding into teachers, including the recruitment of teachers, the training of teachers, the holding of teachers, teacher mentoring and support for upgrading the skill of teachers—the whole range of different suggestions that have been made primarily by those who are in the teaching profession? We ought to be listening to those who entered the profession. We ought to be debating those issues.

Smaller class size, we had good debate on that. We had some division within the body on that—the first time the Murray amendment was actually accepted. Republicans were falling over themselves trying to accept credit for it, and then fought it the next year. I do not know where they will be this year. But it makes a good deal of sense, and the more evidence we get the more that is demonstrated.

We need to do more to help schools and communities develop constructive afterschool activities to keep students off the streets, away from drugs, and out of trouble. These programs have been endorsed from an education point of view and a law enforcement point of view. Funding has been significantly increased in the President's proposal. That is a legitimate proposal and we ought to debate whether we want scarce resources focused that way.

What are we going to do to make sure the neediest children in our country, those who come from the poorest areas of our country, have access to computers? That is a matter of national technology. Are we going to take new technology, and at the end of 10 years, those who went to schools that had the best in technology and teachers are going to be light-years ahead of another group of students, whose skin is probably not white, who are from underserved areas? We ought

to be debating that. Is that before us on the floor of the Senate?

There are Republicans and Democrats who have good views on this. We ought to be working together to find out the solutions to these problems. But, oh, no, we are just going to be debating this afternoon. We are just going to be debating what is No. 7 in all of the polls, creating educational accounts, something that is valued at \$225 million.

I know probably our colleagues say: That may not be a lot to you, Senator. We don't want to bother with that answer. We know we are spending \$40 billion this year in a Federal budget and now we are engaged in our first education debate, which is how we are going to spend \$225 million of it.

Does that say something about what the leadership wants for debate and discussion on issues of education? I think it does.

We are prepared to meet with the chairman of our committee and follow the committee process and come to the floor of the Senate with responsible recommendations and to debate those until we are able to have a resolution of those. But that process has been short-circuited, evidently, by the leadership of the Republican Party. They are basically saying no to its chairman, the chairman of the education committee—no, we are not going to do it that way; we are going to do it some other way.

We are going to have to deal with what we are faced with, and I think there are many more important educational proposals we ought to be debating. We ought to be debating them this afternoon. We ought to be taking rollcalls on these issues. They are of central concern.

Then we ought to move on to many of these other issues that have been effectively side-tracked. We cannot get a bankruptcy conference appointed because I have every intention to try to instruct the Members, when they go to the conference on bankruptcy, they are to change the provisions that have been included in the bankruptcy bill to make sure the neediest American workers are going to get a fair increase in the minimum wage. The majority leader will not call that up. We cannot deal with that.

We are putting off the Patients' Bill of Rights. We cannot begin the debate and discussions on the prescription drug bill.

We have been watching these debates that have been taking place, Democrats and Republicans. Many even in this Chamber have been in States where seniors have been gathering together, talking about the importance of a prescription drug benefit. We are not even able to get a good debate and discussion on these measures in the Senate.

Four weeks into the session and this is our record so far: we have the Marianas immigration bill which was passed overwhelmingly; we have a nu-

clear waste bill, which is legislation that is going to be vetoed; and we have a conference report on bankruptcy. We have had 11 votes, including 3 nominations. It is already the end of February.

You cannot get away from where responsibility lies to address America's agenda. On this side of the aisle we want to address the issues of education. We want to address the issues of health care. We want to address the issues of prescription drugs for our senior citizens. We want to address the issues that are of central concern to working families. We are being denied that opportunity now, and we are going to continue to point out as we go through this legislative process each and every time that we are being denied. We are going to work feverishly to try to do the Nation's business and not be denied bringing these matters up on the floor of the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. ROTH. Mr. President, I would like to point out that what we have before us is a matter within the jurisdiction of the Finance Committee. As I said in my opening remarks, this bill does not answer all problems of education. I am not one to try to base what I do on what a particular poll shows today or tomorrow. I am trying to help satisfy some of the pressing educational problems facing America.

When I go home to my little State of Delaware, a matter of real concern to families, whether their children are teenagers, in secondary or in grammar school, is how the family can afford to send their children to quality colleges. This is a key problem facing the typical American family. Make no mistake about it. I defy any one of you to go home and talk to parents, talk to your neighbors who have children. Time and again they will tell you how difficult it is to have the funds necessary to pay for college education.

So I do not apologize for bringing this kind of legislation before us. This is a matter within the jurisdiction of the Finance Committee. I might say, we have had this legislation reported out since last May. I am pleased and delighted we are having the chance to debate and vote on it. Yes, it does not settle the problems of teachers' training, the size of classes, or many of the other matters mentioned by my distinguished colleague from Massachusetts. I do not deny those are important problems, but they are matters within the jurisdiction of other committees. What I seek to do today is to bring to the Senate legislation that will be most helpful to the typical American family, meeting part of that great American dream of sending their children on to higher education.

We have purposely tried to devise the kind of program that takes advantage of the miracle of compound interest. The question is not how much it costs the Government. The question is how much does this legislation help the

typical American family? We all know the miracle of compound interest. If families will start when their children are small, saving in educational IRAs, up to \$2,000, this will provide significant resources, tremendous amounts of money to help them send their children to school.

Yes, this legislation does not answer all problems of education, nor was it intended to. That is not within the jurisdiction of my committee. But I do say it does seek and will address some of the most important problems facing the American family.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. COVERDELL). The Chair recognizes the Senator from New Hampshire.

Mr. GREGG. Mr. President, I begin by congratulating the Senator from Delaware for bringing this bill forward again, and the Senator from Georgia, who is presently in the Chair, for having been the original author of this bill.

This is a very strong piece of legislation which, as the Senator from Delaware has so effectively pointed out, is absolutely critical to the parents of this country as they try to assure the one thing that is most important in most parents' lifestyles in dealing with their kids, beyond giving their kids love and a sense of how to deal with reality and a sense of values, and that is the ability to get a good education. The ability to get a good education, once you get out of the public school system in our country today, is tied, to a great extent, to your ability to pay for that education. Postsecondary school education, even under public school systems, can be extraordinarily expensive.

These college savings IRA accounts give parents more flexibility. In fact, there was an ad I saw on TV last night which brought home the reality of this so effectively. It showed a baby being born. The theme of the ad was: The first image that comes across the parents' minds is the wonder of the baby. The second image that comes across the parents' minds is, \$210,000 is flashed up on the screen because that is what it is going to cost to educate that child, to have that child, who was just born, go to college. The theme of the ad is: What am I going to do to pay that?

One way to address it is to pass this bill which was passed and, regrettably, rejected by the Democratic side of the aisle and the President. It is before us again so we can give parents some relief.

Nobody is claiming this is the entire rug or the entire makeup of the issue of how we address education. No one is claiming that this is the whole quilt. This is one block within the quilt, one item of the quilt in how we improve education in this country today. It is an important item, and it is an important statement to make that we, as a Congress, are going to, once again, put forward this initiative which we put forward last year as part of our efforts.

A couple of Members from the other side of the aisle have come to the floor today and said they would rather debate something else. I guess they do not think college education is that important. They think something else is more important.

One Member came to the floor today, the Senator from Connecticut, and said we need to debate special ed; we need to put more money into special ed. We should not be putting more money into this program; we should be putting more money into special ed.

That is an unusual argument to hear from the other side of the aisle because there is a certain inconsistency and hollowness to that argument. Let's go through the numbers as to special ed and this Congress since the Republicans have taken over and since we have had a Democratic President.

In 1997, the President sent up a budget. How much of an increase did he have for special ed? He had a 12-percent increase. The Republican Senate made a commitment. It said: That's not enough; we have to address special ed. We are going to put more dollars into special ed.

As a result, the Republican Congress put forward a 34-percent increase in special ed. Why was that? Because we see special ed as being the single largest unfunded mandate, outside the environmental area, this country has. Originally, the agreement was, the Federal Government was going to pay 40 percent of the cost of special ed. When the Congress became Republican, the cost that was being paid by the Federal Government was 6 percent, and it had not been improved at all by the Democratic Congress or by a Democratic Presidency.

We made a commitment as a Republican Congress that we were going to get that spending up so more special ed dollars would flow back to the States, so we could fulfill our obligations under special ed of paying a larger percentage of that 40 percent, so local dollars could be freed up for the purposes of spending them on local priorities rather than having local dollars spent paying the Federal share of special ed.

As I said, in 1997 the Democratic leadership in this Congress, and through its President, proposed a 12-percent increase in special ed. We raised special ed spending by \$783 million that year, or 34 percent. I am pointing this out because the Senator from Connecticut said we have to spend more money on special ed; we should not be talking about this program on the floor; more money should go to special ed. I think that rings hollow in light of these numbers.

In 1998, the President put forward a budget with a 4-percent increase in special ed funding. That is essentially enough to pay for all the salaries of all the administrators they want to put on the books. The Senate increased special ed spending that year under a Republican initiative by 22 percent, \$698 million.

In 1999, it was the same story. The President sent us a budget supported by the Democratic leadership. How much of an increase did they ask for in special ed spending? This time they asked for a .03-percent increase in special ed funding.

The Republican majority said: No, that is not acceptable; we are going to increase special ed funding again. We increased it over the baseline by 13 percent in 1999, \$510 million.

Again, in the year 2000, this year, the President increased special ed funding by what? Seven percent. We said: No, that is not acceptable; more special ed dollars are needed to meet the obligation of the 40-percent commitment we made. So the Republican Senate, with a Republican initiative of this Congress, increased special ed funding by \$678 million last year for a 15.7-percent increase.

The total increase under the Republican leadership in this Congress in special ed funding has been over 100 percent since the year 1997. We have gone from \$2.6 billion up to over \$5 billion we are projecting in this coming year in special ed funding.

The proposals coming from the other side of the aisle—and we just heard this presentation that said we should be spending more on special ed—were to increase special ed funding over that period by essentially nothing.

The Republican majority has taken the issue of special ed funding. We have fulfilled an obligation. We are moving toward full funding of that obligation made by this Congress in 1976 when the special ed bill was first passed, and as a result we are doing what should be done, which is to fund special ed at an aggressive level, something which we have not seen coming from the other side of the aisle or from the administration.

When I hear folks come to this floor and say we should not be taking up this bill, we should be funding special ed, there is, I think, a certain hollowness to that argument.

The Senator from Massachusetts argued we ought to be taking up this item of education, that item of education, another item of education, and why haven't we taken up all these items of education; we have not done anything in this Congress, including minimum wage.

I note, the bankruptcy bill did have minimum wage in it, which we passed, which the Senator, I guess, does not like, and that is why he considers we have not taken it up. The fact is, all the educational items he has listed are presently moving through committee and will be discussed in committee and then will be brought to the floor, as the Senator knows.

The Elementary and Secondary Education Act is on the verge of being marked up in committee. In fact, I think the Senator probably, as of today or maybe tomorrow, will be putting together his amendments and will be getting ready for a major markup of that

bill the first week in March, which will take up almost all the issues he outlined as not being addressed by this Congress.

Would he want us to skip the committee and just bring that bill to the floor without any committee action? As a senior member on the Democratic side of that committee, I seriously doubt that. That bill is not being vetted in committee. I cannot imagine the Senator would want those issues, which are very complex, very important, and involve substantive discussions of education policy, to be thrown out on the floor without committee action. But that seems to be what he is suggesting, that we should have just thrown the bill before the Senate rather than putting it through the proper committee procedure and taking action on it, which is what he has proposed. He knows it is going to be taken up in committee and then brought before the Senate and worked on I suspect for a week or a week and a half, maybe 2 weeks.

Why is this bill being considered? Because this bill has gone through the committee process. The chairman of the committee which has jurisdiction over this piece of legislation is presenting the bill. That is why it is here.

If the ESEA bill was ready, it could be brought to the floor, but the ESEA bill isn't ready. It will be ready fairly soon. It is going to be one heck of a good bill on which to debate education policy. I will not deny that.

The differences between our side of the aisle and the other side of the aisle on the issue of elementary and secondary education in this country are fairly significant. We happen to think after you have spent \$100 billion on a program, and kids can be shown to have obtained absolutely nothing from that money, that you have children essentially who are still locked into failure, where low-income kids are still getting the same terrible education children got 20 years ago.

Even though we have spent \$100 billion on education, unfortunately, the children with whom we started out 20 years ago in this program have ended up coming through a system which has failed them. We are still sticking kids into that system. We are still running them through that system, the same way it has always been—counting bureaucrats instead of counting results; not focusing on the child but, rather, focusing on systems. That is a failure; no question about it. We are going to get to discuss that failure at some length on this floor, as we will in committee. That is going to be a big issue.

But to simply bring the ESEA out here and throw it on the floor, as the Senator from Massachusetts, the ranking member, seems to be implying we should do before we take up this bill, abandons the legislative process.

The legislative process relative to this bill has worked. It has gone through committee. It has actually gone through committee and through

the Senate and it has been vetoed. Now it is back on the floor. Having gone through the committee, it has come back to the floor to be heard again. It makes sense that we should be taking up this bill.

I think the arguments by the Senator from Massachusetts, as much as I respect his understanding of the legislative process—he is one of the people in the Senate who knows the most about the legislative process and has been here the longest of anyone, I guess, other than Senator THURMOND and Senator BYRD. He understands the legislative process, and I am a little surprised, I guess, that he would make the representations he did relative to why this bill is on the floor versus the other issues he outlined as being his preference for being considered on the floor.

We will get to those other issues. We will get to them aggressively. We will have a full debate. It is going to be a very energized debate. There will be a lot of differences of opinion. It will be good for this country because the education debate needs to be aired on this floor with intensity and with a full hearing because it is such a critical issue for our Nation.

But as of right now, the bill on which we are ready to proceed is this bill. In my opinion, we should not have a lot of "straw dogs" put up in the face of it. Let's pass this bill. It is good for parents, it is good for kids who want to go to college, and as a result it will be good for the country.

I yield the floor.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER (Mr. CRAPO). The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, just to respond to my good friend from New Hampshire, when we came back to the whole question of special education, I listened carefully to his remarks. And his remarks have a certain hollow echo, as well.

I remember when the Republicans offered their \$780 billion tax break a year ago. I offered an amendment that would have funded every special education program for 10 years. It would have reduced the \$780 Republican tax reduction by a fifth. Every Member of the body on the other side of the aisle voted against it.

So with all due respect, that proposal made a good deal of sense. Every Member on the Democratic side of the aisle said: It is more important to fund the special education needs of every special education program across this country, over the next 10 years, than to have a tax break. Every Republican voted against that. So with all due respect, we ought to at least begin to remember our history on this particular provision.

I listened to my friend from Delaware talk about the two different provisions. He talked about the educational IRAs, which my remarks were directed at, and then he talked about the section

127 provisions which provide the education assistance for undergraduate and graduate studies, and also about the prepaid tuition plans. Those are in the administration's budget.

I see both my friend from Georgia as well as Senator WELLSTONE waiting to speak. But if there had been more time, I was going to review what has been done with regard to President Clinton and this Congress over the last 7 years in terms of offering educational opportunities. There has not been an administration in the last 30 years that has done a better job in terms of opening up and being responsive to the needs of students. It is a very proud record.

So those particular provisions of what they call the extenders of various tax provisions are going to be worthwhile to work out in a bipartisan way. Certainly there will be credit for all those who are going to be involved in it later on. But the principal proposal which has been advanced, the education IRAs, which was discussed earlier as a vehicle for strengthening and improving public education, it does seem to me that the American people want a debate and discussion, in a comprehensive way, about how we are going to strengthen public education, and what the Federal Government is going to do, and what the States are going to do, and what the local communities are going to do.

Whatever we do in the Congress, I think there are certain priorities which the public has. They want to know how we are going to ensure that there will be a well-trained teacher in every classroom? They want smaller class sizes, particularly in the earlier grades. They want to make sure we have after-school programs. They want to make sure we are going to have mentors and supporters for those teachers, particularly those who serve in underserved areas. They want to make sure we have the technology, and the curriculum with that technology, and well-trained teachers to use that technology.

They want us to be sensitive to the digital divide so we do not use technology to open up a whole new spread between the haves and have-nots. They want to make sure there is parental involvement. They want to make sure there is access to continuing education through college and that there is continuing training programs which will be necessary for the new jobs of the new century.

I believe they want us to give emphasis and focus in terms of early education, including the expansion of the Head Start Program for children up to 3 years of age, on which this administration has placed emphasis, along with a number of Senators, in a bipartisan way, including Senators STEVENS and DODD.

They want us, at the end of the day when we pass the legislation, to be able to answer the question: What did this legislation mean in terms of my son or my daughter? Whether it is a question of security in the classroom or whether

it is access to guns getting into the classrooms. They want to have a comprehensive way of being able to say, look, there is some legislation. It isn't going to answer all of the problems. It isn't going to do everything, but at least it is something. We stand in support of those individuals who want to use scarce resources at the national level to pump into this priority. Those are the people we want to see successful and we want to support. That is very reasonable.

With a budget of some \$40 billion and a \$225 million program dealing with what will mean \$7 per family to go to school, the idea that we are doing anything meaningful for families in this country who are interested and concerned about educating their kids is a disservice to the American people and a disservice to this process. That is why I have risen.

I see my colleague and friend from Georgia and Senator WELLSTONE. I yield the floor.

Mr. WELLSTONE. Mr. President, the Senator from Georgia wants to speak. I ask unanimous consent that I be allowed to follow the Senator from Georgia.

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

The Senator from Georgia is recognized.

Mr. COVERDELL. I thank the Chair.

The good Senator from Massachusetts and I find ourselves, once again, in a prolonged discussion about tax policy that affects education. I have several comments to make with regard to that. Before I outline the reach of the legislation, I will respond to several remarks made by the Senator from Massachusetts.

First, the Senator from Massachusetts indicated that the President's budget had \$4.5 billion in new funding for education and that we are debating something that is worth some \$200 million over 5 years. My data does not match his. Actually, in 5 years this legislation would use tax policy to relieve taxpayers, whether they are parents or employers or people who are in a State tuition program. It would be \$4.3 billion in the first 5 years and almost \$8 billion over 10 years.

They really are apples and oranges. What we are debating is the relief of tax policy on top of what will ultimately become an increase in the education budget. In fact, if you are going to do it that way, you have to add these figures to what the President and the Congress ultimately decide is going to be the increase in the education budget, remembering that last year the Congress' increase in education was greater than the President's.

It is not accurate to refer to one section of the bill we are debating. You have to refer to the entire section, A. And, B, they are not comparable figures. One is a discussion about how much of an increase you will have in the President's or the congressional budget for education, in addition to

which, this is a proposal to significantly leave tax dollars in the hands of parents, employers, and students to help them pay for education, in addition to whatever the Federal Government is contributing.

That is a major disparity in our presentation of the numbers.

This is the third time, in essence, we have debated this. We hear this number, that this is only worth \$7 to a family. When you leave it there, you distort the picture. Remember, the Senator from Massachusetts complimented the administration and the Congress, and I do as well, for the fact that we have already passed a \$500-per-year savings account for higher education. This one section of this bill takes that proposal from \$500 per year to \$2,000, and it is for higher education or elementary education.

My question to the Senator is this: Under that logic, if this proposal is only worth \$7 per family, then the President's proposal is only worth about \$2.25 because what he and we have done so far is only one-quarter of what we are proposing to do here. If it is insignificant, why are we so tangled about it?

Mr. KENNEDY. May I answer the Senator?

Mr. COVERDELL. Certainly.

Mr. KENNEDY. In my earlier address, I was using figures provided by the committee. I will refer to them and include them now, the Affordable Education Act of 1999. I look over at the estimated budget effects of the Affordable Education Act of 1999, as approved by the Senate Committee on Finance, May 19, 1999. I read it out to the year 2004, and it is \$1.156 billion. That is what we are basically talking about in terms of the IRAs.

As I indicated earlier, you have some extenders with regard to graduate education which are in the President's program and undergraduate. If you want to add all of those programs in to get up closer to your \$4 billion figure, that is fine. My point is, you have your \$1.5 billion which comes to \$225 million for the IRA, which comes to what I have talked about as \$7 per family. I do think there is a better way of using the \$1.5 billion than providing that kind of benefit to families that, according to the Joint Tax Committee, is \$7 a family.

The other provisions about which I should have been more precise are included in the broad scope mentioned by Senator ROTH, which basically are a continuation of what they call tax extenders about which there is really no debate. This debate, primarily on COVERDELL, has been about the creation of \$1.2 billion, \$230 million a year, effectively, for families, which would amount to \$7 per family, whether we think that is the best way in terms of education policy. That is what I was getting at.

The pages are not numbered, but I will be glad to share those with my colleague.

Mr. COVERDELL. I appreciate that. I think we are getting close to a common line. My point was that the legislation we are debating has a value of \$4.3 billion. It is apart from the President's proposed budget or what the Congress is going to do. This is in addition to whatever the Congress and the President decide. A. And, B, I don't think it is plausible to attack a \$2,000-a-year savings account because of the \$7 figure, with which I take some exception. If you want to use it, that means what we have done is only worth \$2.25 under the President's proposal, which is only \$500 per year.

The Senator from Massachusetts alluded in his remarks to a partisan debate. This is not a partisan debate on the proposal from the Finance Committee. It was passed out with Republican and Democrat Members. The principal cosponsor of the legislation is Senator ROBERT TORRICELLI from New Jersey, the principal cosponsor and a member of the Democratic Party in good standing. In addition, there are some 8 to 10 other Democrats who are on that side of the aisle in the Senate and are very supportive of this legislation.

I was pleased by the Senator's remarks when he said the President has become interested in K through 12 because I really believe that is where the crisis in American education is. I am glad we are now talking about the same target. The crisis is not in higher education; it is K through 12. It is, in fact, the 30 and 40 percent of our students who are coming out of high school and are not effective readers and can't write well.

The Senator from Massachusetts referred to polling data and listed some seven items that this particular poll enumerated as important. At one point, he said parents are not supportive of this. But in his own poll, the sixth or seventh most important desire on the part of parents was this.

Many of the items in the poll that he cites are not in the jurisdiction of the Federal Government. We can debate that, and we have been debating that, for some time. Some of us would find some of those proposals not in our purview; but tax policy is and that was No. 6.

I might also add that if you go down the list of items included in the bill that are helping employers deal with continuing education, to which the Senator alluded, this is a very high item in the poll—school construction is a high item in the poll.

In other words, the items that are in this proposal react just as the Senator would have them to his poll. So I thought it was important there be some clarification of these points that were alluded to early on. Anybody watching this discussion needs to know that, in fact, this proposal augments the budgetary process.

Now, let's talk about the proposal in general. What does it do? I have always been stunned by how little incentive it

takes to cause Americans to do huge things. The Senator is correct when he says the savings account is not a particularly large form of tax relief. It is not. It is about \$1.2 billion over 5 years. Over 10 years, it is \$2.4 billion.

What happens is, because we say you can open a savings account and we, the Federal Government, are not going to sock it to you by taxing the interest on the account, we are going to help you make a contribution to the work you do to educate your children—get these numbers—14 million American families will open this kind of account. They are the parents of 20 million children. That is almost half the elementary school population who will become involved in this concept. Their parents, and others, will save \$12 billion over the next 10 years.

So in addition to all this funding the Senator from Massachusetts is talking about, we are putting into the education arena \$12 billion more, and we didn't have to raise taxes one dime to do it, and the State didn't and the local communities didn't. This is voluntary. This is money given to education by loving parents.

In my judgment, the \$12 billion is worth three to five times the money the Senator from Massachusetts is talking about. Why? Public education money, we all know, is spread across a wide arena. A lot of it never sees a classroom. It doesn't know the name of a single student. It cannot get targeted to particular problems.

If we pass this legislation, 14 million families will have an account and once a month some saving institution is going to send a notice to those parents that this is how much money they have in their account for Johnny or Jane. That almost beats the PTA because every month this family is being reminded of this resource it is collecting for its children.

Now, I call these smart dollars. Why? Because it is like a laser beam; this money will be invested directly on the child and directly on the most pressing need the child has. You talk about the digital divide—families who have these accounts can close them; they can buy home computers; they can hire a tutor; they can deal with a special ed problem, a health problem, a transportation problem, or whatever it is the child specifically needs. This \$12 billion—and I think it would be more—goes right to the target.

These IRA accounts are entirely unique in one special way. Anybody can deposit money into the account—the parents, of course, or it could be the grandmother, sister, aunt, or it could be a next-door neighbor or a church; it could be a labor union; it could be a company. No one has even begun to calculate what ideas will emerge to build up these accounts. One can easily see an employer matching his employees and encouraging them to open these kinds of accounts.

There is virtually zero downside to the accounts. Every segment of education in America will be a winner—

public education, private education, home schooling, you name it. These accounts will all infuse new resources for which the Federal Government will not have to appropriate a dime to get the job done: Fourteen million families, 20 million children, a resource that is available to them from kindergarten through college, and thereafter if disabled. Public education wins. Private, home schooling, and every form of education wins. To me, it is mind-boggling that anybody would challenge the concept.

The bill does more, as I was explaining to the Senator from Massachusetts. In States that have advanced tuition programs available, those proceeds to students will no longer be taxed. I might add that this suggestion came from the Democrat side of the aisle—a good idea.

It will help encourage States to have State tuition plans, and it will encourage families to get in them because they don't eat it up in taxes when they use them to go to college. It is estimated that 1 million college students will benefit from that plan.

Everybody knows today that education is no longer a box—you finish high school, you finish college, and that is it. In today's rapidly changing world, it is an ongoing process.

The legislation—which I think I heard the Senator from Massachusetts say the President agrees with—extends employer tax exemptions when they spend money to train employees on advanced education, and even on undergraduate and graduate education. It is worth \$5,200 a year. It is estimated—I think this figure is low—that 1 million American employees will benefit from this legislation. It relieves students of taxes on the interest of their student loans. Through the work of Senator GRAHAM of Florida, it makes it easier for local governments to build new schools. It is a very important part of the legislation.

Again, if you take the list of the Senator from Massachusetts of what parents think is important, this legislation refers to almost every one of those arenas, and in the proper Federal way where we manage tax policy. We should make that policy more friendly to people dealing with education. It is not necessarily the Federal Government's role to decide exactly how we are going to build a school in my home State of Georgia.

The Senator from Minnesota is waiting. I will finish in a couple of minutes so he may speak. I may speak some more afterwards.

I want to relate that since we first debated this proposal and passed it in the Senate with 59 Senate votes—it would probably be higher today—a lot has been happening in America. The debate over the failure of kindergarten through high school is charging through the country.

In my State, the Governor is a Democrat. He is fighting for an education revamp right now in the Georgia Legisla-

ture. It includes offering tenure. He is proposing for schools proven to certifiably fail that parents have a right to leave those schools. What better tool to help a family deal with that predicament if it comes about—and it will. We will have schools in a State that cannot cut it. And he is not going to force people to go to those kinds of schools.

The most unconscionable policy in America is forcing families and children to go to schools that we know are failing. This legislation helps those families deal with that kind of problem, which is why, when you ask parents if they want to do this or not, it gets between 60 and 70 percent approval. They understand that it is an opportunity, a voluntary opportunity—something important in America's government today—to help themselves, to help their families, to help their children. It allows everybody else in the country to help some kid somewhere—one of your employee's children, one of your union member's children, your benevolent association's children, or a police officer who goes down. A community could open this up and have \$70,000 sitting there when that kid wants to go to school. Think about it.

The Senator wonders why we are debating this. It affects half the population in elementary schools in the United States as it relates to tax policy. That is why.

Mr. President, I yield the floor. I think under a previous unanimous consent the floor will go to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I appreciate the Senator's remarks. I definitely want to respond. Senator SCHUMER is on a tight timeline. He asked whether he could speak for 5 minutes. Then I would follow him. I ask unanimous consent that Senator SCHUMER be allowed to speak for 5 minutes and I be allowed to follow Senator SCHUMER.

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

The Senator from New York is recognized for 5 minutes.

Mr. SCHUMER. Thank you, Mr. President. I thank both the Senator from Georgia and the Senator from Minnesota who was gracious to yield time.

Mr. President, I do not profess to be an expert on the bill that my good friend, the Senator from Georgia, has introduced. I came on the floor because it seems to me that education is not only the No. 1 issue that most Americans feel is important, but it is the No. 1 issue that is facing the future of our country.

We have a huge number of different problems in education. We have overcrowded classrooms. My children attend the public schools in New York City, I am proud to say. I am proud to say they are getting a good education. When my daughter was in kindergarten, she had to share that kinder-

garten room with another class. We have a desperate shortage of classrooms. We have a desperate shortage of teachers coming forward. The average age of a teacher in America is 50 years or older. Every year we are going to need more and more teachers in our schools.

We have a desperate shortage of standards. All too often people graduate from course work and can't carry the load. In an economy where education and knowledge seem to be so important, we don't have any good Federal ideas on what to do. There are some who might say we don't need Federal ideas. I don't question the right to debate this proposal, nor do I doubt what the Senator from Georgia has said in that it will help lots of families. I am aware of the problem.

I introduced legislation, along with the Senator from Maine, to make college tuition up to \$12,000 tax deductible because of the strain. It is another way to go. It might benefit some families more than the legislation of the Senator from Georgia. It might benefit some families less. But it is along the same line.

But I agree with my colleague from Massachusetts. Why are we doing this piece of legislation, worthy though it may be, when we have all these issues out there? Why aren't we taking a month? It is certainly worth our Nation's future to take a month and debate all the educational issues, see where our priorities are, and see if this proposal from the Senator from Georgia, into which he has put a lot of effort and a lot of work, comes at the top, the middle, or the bottom of our priorities. Is it going to do more than spending the same amount of money on new classrooms or new teachers or mentor training? Is it going to do more than, say, raising teachers' salaries because it is awfully hard in large part in this country to get a qualified person to teach our young people math and science when the private sector pays them double. Is it worth more than having our National Standards Board come up with real national standards, and should we be debating that issue?

These are questions that I think are vital to the future of our country and to the future of this Chamber.

These are questions that get to the very heart of a fundamental principle with which I think most Americans agree. We want to stay the No. 1 economic power in the year 2025.

In my judgment, to bring up one particular issue that stands in isolation and not be allowed to debate the whole panoply of educational issues and vote on them together as a package is not how a good business would operate. It is not how a good volunteer organization would set its priorities. A family sitting around the dinner table would not say let's just discuss vacation in our budget and then not discuss what we have to pay for food, for shelter, and for transportation.

Again, I respect my friend from Georgia. We have worked together on many



pieces of legislation. He is sincere in this effort. I simply say to my colleagues, this is no way to come up with a real and desperately needed education policy in 21st century America.

I thank my colleague from Minnesota for yielding.

Mr. COVERDELL. Mr. President, I will only take a minute to respond to the good Senator from New York.

The point is, the legislation had come out of the Finance Committee. No one is suggesting this is the only education debate. This bill is ready. This bill has been voted on by the Senate before; 59 Senators have already supported this. This is vetted.

Some of the issues the Senator alluded to certainly are not vetted; for example, the Federal Government taking on local teacher salaries. The good Senator from New York knows that will be highly controversial.

This is ready. There is not an ulterior motive. The education bill has not come out of the education committee; both Republicans and Democrats are still trying to reach a consensus. I understand the desire to move to other issues, but I do not see that as making this an inappropriate discussion for the Senate.

I might add that the neighbor of the Senator, Senator ROBERT TORRICELLI, is the principal cosponsor.

I have enjoyed, as well, working with the Senator from New York.

The PRESIDING OFFICER (Mr. SESSIONS). Under the previous order, the Senator from Minnesota is recognized.

Mr. WELLSTONE. Mr. President, I appreciate the remarks of Senator SCHUMER and what Senator COVERDELL had to say. Let me move away from procedure and whether the bill should now be debated and go to substance.

First of all, the idea that up to \$2,000 in savings can be put into education, from my point of view from some of the most hard-pressed people in Minnesota—Minnesota is divided, metro and then inner city, where a lot of people are struggling economically. Unfortunately, in Minnesota and I think around the country, we are moving to two Americas. In rural America, people are not going to have the \$2,000 savings. They will not even get close. They do not have it to put in savings.

Let me be clear in terms of which families will be able to benefit and which will not.

I ask the Senator from Georgia, is it a deduction people make?

Mr. COVERDELL. No, it will not be shown as income.

Mr. WELLSTONE. Just from a tax progressivity point of view, those with the highest liability with less income shown pay less. I don't see the large part of this benefit going to the most hard-pressed families.

That is my first point. That is substance, not parliamentary, when the bill is out on the floor.

Mr. COVERDELL. Will the Senator yield?

Mr. WELLSTONE. I am happy to yield to the Senator.

Mr. COVERDELL. I point out two things. The scope of the families who are eligible for the account is identical to the President's criteria for who is eligible for the account. That is one quarter the size we have already passed. If there is no difference, it is identical to the criteria of the President.

Somewhere along the line, we all have to determine what the criteria are, so it is means tested. I frankly have some resistance to that, but we have accepted it.

No. 2, the account allows other parties to contribute. The community described by the Senator is in all of our States. Certainly we have a large community such as that in Georgia, but an inner-city church, a labor organization, an employer, other family members, can make these accounts real.

And last, from the very communities the Senator is talking about are the loudest voices for Congress to do this.

Mr. WELLSTONE. Mr. President, I appreciate what the Senator said, and I will be pleased to yield for other questions as well.

First, I point out to the Senator on whether or not this is, roughly speaking, the same benefit as in the President's proposal, that does not move me as a Senator as much. Having done a lot of community work with low- and moderate-income people, I know for a fact that most of the people will not have anywhere close to \$2,000 to put into savings. It is a reality. It is not even thinkable for most of them.

Second, yes, others in the community might be able to contribute and help them out, but that begs the question. The families who will be able to best take advantage of this are families who are on the higher income end of the scale. That is a first point, regardless of a comparison to the President's proposal.

In any case, I made this to be scrupulously nonpartisan or bipartisan, or whatever the right label is. For the President's HOPE scholarship program, I said if this is not a refundable tax credit, most of the families with incomes under \$28,000 don't have the tax liability and it will not help. I am being consistent in my argument.

On the whole question of low-income communities, the very people I am talking about are the ones who are clamoring the most for this. Let me get to that point in a second.

First, another criticism. I want to be straight up in my disagreement with my colleague from Georgia. I think there is a real question if it is through the Tax Code. We keep having a debate. It is tax expenditure. We are spending money one way or the other. If we do it through the Tax Code, we are basically providing dollars that could be going to public education, and in this particular case it could go to private schools.

I am opposed to that. I view that as a voucher plan. That might be attractive to the Senator. There are some who believe that is a big mistake and

believe we ought to use the public taxpayer dollars one way or another, whether it be through the direct expenditure or whether it be through tax deductions and tax credits. We believe that ought to go to public education. That is a disagreement. If we brought this out next year or brought it out here with a whole bunch of other proposals, I would still disagree.

On the whole question of who benefits and who does not and which communities are clamoring for this, now I get to the point: If on the whole question of the savings account it ultimately gets to \$7 per child, I don't see that as a great benefit. I certainly don't see how it gets to many people. Even if you want them to get to the exclusive private schools, I don't think it helps much.

This is where I really disagree with my colleague. I am sure there are organizations and people who support this plan. I am sure they do it in good faith. The question is opportunity before the Senate. Either we put this \$1.2 billion here or we say there are better uses. I argue there are better uses. I argue there are better uses for the money.

Now, we have talked about what proposals have been vetted or have not been vetted. My colleague from New Hampshire came out here with an argument that was interesting. I think he had every right to make it. He said we will deal with this in the Elementary and Secondary Education Act.

However, I will give some examples. We had a pretty long discussion about title I. This is talking about low- and moderate-income families. This is a place where the Federal Government is a real player. This is terribly important for kids who come from disadvantaged circumstances. It is funded at about one-third the level it should be funded. So in a lot of urban Minnesota, once you get to schools with less than 65 percent low-income students, there is no money. The other schools are not even eligible.

I would argue, if it is \$1.3 billion or \$4 billion or \$5 billion, or whatever amount of money you want to talk about, the opportunity cost of putting it into this plan is that you do not put it directly into a proven program that really benefits kids if given the funding and if given the accountability. I would rather put it there.

What have we talked about and what have we not talked about? It should not have taken Columbine. But we have had this discussion about violence. We have had this discussion about how does one get to these kids before they commit this kind of violent act. We have had this discussion about the need for support services for kids. We have had this discussion about so many kids feeling anonymous in the schools. We have talked about the need to have counselors.

Some of us have had amendments out on the floor to provide funding for more counselors in our schools, to provide support services to kids, to students. That is an important education

program. I doubt whether any Senator, if he or she is in a school—I try to be in a school in Minnesota every 2 weeks—does not hear about the need to have more counselors and more support services for students, many of whom, if they are not the top of their class and they are not a great athlete, feel lost. I argue we would be making a much better investment if we invested it in this program.

There is another issue we have had on the floor that is not new. You cannot argue we should not be out here talking about it because we never talked about it before. I would be pleased to fault the administration on this as well, I say to my colleague from Georgia. I believe someday we are going to do this. I think the place where the Federal Government can be a real player—in fact, if I was the one who was writing this amendment, if I agreed with the concept, I would apply it to this area. I would apply it to early childhood development as well. We should be a real player pre-kindergarten.

My colleague may say it does not give people enough time to work up the savings for when they have children, if they are very young. But you don't know. Maybe you would let grandparents be able to do it for their children's children. I don't know. But I will say this. It is absolutely pathetic how little we have done by way of an investment in early childhood development. It is pathetic. We have study after study, book after book, documentary after documentary, White House conferences, we all love children, we are all committed to children, and we all know the medical evidence is irrefutable and irreducible that you have to get it right for kids.

If I had \$1.3 billion over the next 5 years, I would put it into early childhood development. You can make a real difference for children and a real difference for families because, after all, what is most important to families, or parents, is that their children do well in school.

The fact is, the reality is, that all too many young people, children in America, come to kindergarten behind. I think the big crisis in education is the learning gap between those kids who have had the support at home, who have had parents who can afford the best by way of developmental childcare, children who have been read to widely, are already computer literate, who have been encouraged, they have that spark of learning, and they come to kindergarten and they are ready to go. Many children come to kindergarten way behind. What in the world are we doing debating this piece of legislation as opposed to talking about this amount of money—or much more, I would argue—by way of investment in early childhood development?

I say to my colleague from Georgia, I could talk about other issues as well, but I come to the floor to oppose this on the following grounds: One, I believe

it is a fantasy to think \$2,000 in savings is going to mean much for most hard-pressed families in Minnesota. They don't have that money for savings. Two, the way the tax benefit works, by definition, whatever money you are not liable for, if you are in a higher tax liability, you get the biggest break, so it is going to benefit more the people on the top. The third point I argue is that I am opposed to using public dollars when we do not even have enough dollars for public education right now, for private education, for what is essentially a voucher plan.

Someday in the future, if somebody can show me we have really made the investment in public education—I heard my colleague from New Hampshire talk about all the money we spent that hadn't worked. I would like to talk about areas in which we have not invested. Then I might be willing to talk about how we would use dollars and talk about vouchers. Not now. I do not believe this is the way to go. You would have to persuade me we have really made a commitment.

That is my fourth point; whether it be this amount of money, whether it be today, whether it be tomorrow, whether it be next week, if the Senate is really serious about children and education, here is where I do join Senator KENNEDY 100 percent—and this is not so much directed at my colleague from Georgia; he has his piece of legislation here; he believes in it—but honestly, we have done next to nothing. This has been ridiculous. I do not believe the way we have been spending our time week after week after week. I am glad we are out here starting a debate. I actually commend my colleague from Georgia for bringing out a piece of legislation that at least deals with education. But, honest to goodness, we have done next to nothing. We have had hardly any votes, hardly any legislation, hardly any opportunities to introduce amendments to bills.

I say to the majority leader and majority party, it is very difficult. I think, frankly, it is difficult for all of us to represent our States well when we do not have a real legislative process going on. I will get to the education part of it in a moment, but I will speak about it in broader terms.

Take this last week. You go home. You meet with people and people are glad to meet with you. I think we all have had that experience. They are talking about their work; they are excited. You think you could make a difference as a Senator—and you would not be in the Senate if you didn't think you could make a difference. I had one meeting with parents talking about depression and suicide among kids—it is the second leading killer of our children, ages 18 to 25—and the lack of any kind of support and the lack of services. I could go on and on. I talk to veterans. There are a whole set of unmet needs in the VA health care system.

Then we come back here and we have quorum calls or no piece of legislation

and no opportunity for amendment. We do not have a legislative process going on in the Senate in general. It is unbelievable. I say to the majority party, I don't think we can represent people back in our States very well unless we get real about the concerns and circumstances of people's lives and what we are doing. I think this has been, to quote someone else, a do-nothing Senate; a do-nothing Congress.

I would argue—not that the amendment of my colleague from Georgia is a do-nothing amendment; it is not. He thinks it is the right step. But I say, frankly, as opposed to \$7 per kid at best, as opposed to talking about \$2,000 in savings that most families I know in Minnesota can't come close to saving, as opposed to a tax break that is going to benefit people more on the upper end—I would say in my discussions, and I try to be in a school every 2 weeks, what people talk about—I think this was Senator KENNEDY's point earlier—is they say we need good teachers. We need to have smaller classes.

Students talk about how they are sharing textbooks. They have these political science or government textbooks. Minnesota is a pretty small education State, and the last President they talk about is Ronald Reagan. It is way out of date. They don't have good textbooks. Everybody is talking about computers and technology, but the textbooks are hopelessly outdated.

They talk about the need to get it right for kids before kindergarten. I didn't say to the Presiding Officer that he would not think Ronald Reagan wasn't one of the greatest Presidents. I am just saying there have been other Presidents since Ronald Reagan. I see my colleague, Senator SESSIONS, smiling. He can't say anything to me because he is the Presiding Officer, and I can give it to him right now.

They talk about school construction. That sounds very abstract, but a lot of buildings are in disrepair and decrepit.

We do not tell our kids we care much about them when we do not do anything to rebuild crumbling schools. This is the discussion I hear.

They also talk about the question of digital divide and making sure we have access to technology in our schools. I am OK with having this amendment before us, but I disagree with the amendment for the reasons I have stated. The Senator from Georgia disagrees with my disagreement. The larger issue is, frankly, I do not think to most people in the country and to most people I represent that this is really a piece of legislation that deals with their needs or their children's needs or deals with the challenges we have in education. My question is, When in the world are we going to get real about this?

Mr. COVERDELL. Will the Senator yield?

Mr. WELLSTONE. My colleague says it is in addition to other things. The "other" is not anywhere near what we should be doing. Whatever it is subtracts from the other things we could

be doing. I do not buy his argument that there are other things we are doing and this is just in addition because of the unmet needs.

Mr. COVERDELL. Will the Senator yield?

Mr. WELLSTONE. I am talking about the decisive areas in which we should be making an investment. I do not think this is the way we should go at all. I yield for a question.

Mr. COVERDELL. I am convinced we have a pretty strong disagreement. The Senator has made that point. But being a persistent individual, let's go back to the point the Senator made about the savings account, which is only one part of this bill. Then he alluded to the amount of money that would not be collected. I signaled to him that it is about \$1.2 billion over 5 years. The Senator from Minnesota said he thought that could be put to a better use: We collect the money from the people, bring it here, and put it to another use.

My question is this: How many Federal dollars can you think of that we leverage to a 10-to-1 value? My point is this: For that amount of uncollected revenue, we cause 14 million families with 20 million kids—it is about half the population in elementary school—on their own, with their own dollars to augment that, and you end up with \$12 billion.

If we could do that with every dollar we have, we would not be in a debate about any of these things. We could do any and everything. It is very unique in that we get it back over 10 times.

I do not think you can call this a voucher. This is not—and I will stop here and let the Senator respond—a voucher. It is simply if a person is in a private school, they can have a savings account. If they are in a public school, they can have a savings account. It is their money; it is not public money, and it is being used by them to decide how they might best help their child.

I yield to the Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I will finish. I am a little frustrated—not with my colleague. I am supposed to meet with the Egyptian Ambassador. I just received a note. I have been keeping him waiting. Let me respond to my colleague from Georgia on a couple of different counts.

First of all, as far as Federal programs, we can talk about that \$1 leveraged many times over. I can give the Senator a couple of examples. One great example is the Women, Infants, and Children Program. By the way, we have a real problem right now, with a booming economy, of hunger of children in America. The reports are very troubling.

Every single study I look at says if you get it right by an early childhood investment, it pays for itself over and over. I cannot give a ratio, a dollar amount, but I can tell you either you invest in children when they are young or you pay later with high rates of dropouts—I do not think my colleague

disagrees—high rates of substance abuse, and high rates of violence.

There are clearly areas where you make investments on the front and it pays for itself over and over. Anything that is early childhood development fits the Senator's criteria.

I am saying that is where we should be putting the money, and that is where I would put this \$1.3 billion and more. That is part of my disagreement. It is a matter of priorities. A dollar spent is a dollar spent one way or the other.

I am attracted—I should not say this; I should be out here trying to demolish the proposal of the Senator from Georgia, but it is presented in good faith and there is a vision to some of it that I understand. The notion that this can encourage people to save and match money and have responsibility and put it into education—all of that I like, but I again argue, frankly, for a lot of families, especially on the low-moderate income end, it is not likely, even with the best intentions and the best commitment to children, they are going to be the ones who can take the greatest advantage of this benefit. It is going to be much more on the upper-income end. Therefore, I think it is a mistake. If this is adopted, if it becomes law, and I am proven wrong, I will be glad to be proven wrong, but I do not think I will be.

I yield the floor and thank my colleague from Georgia for his comments.

Mr. COVERDELL. Mr. President, as always, I enjoy the opportunity to share thoughts with the good Senator from Minnesota. I understand the dilemma he is in. It seems to happen to all of us all the time. I hope the good Ambassador will understand his responsibilities in this Chamber.

Even though the Senator from Minnesota has to leave, I am going to spend a few minutes responding to the remarks of the Senator from Minnesota. I see we have been joined by the Senator from Rhode Island, I assume, to speak on the legislation.

I want to go back to the point about not collecting—it is actually about \$2.4 billion over 10 years. We say: OK, we are going to leave that in the checking accounts of the families who will open a savings account in support of their children's education, and we will not tax the interest. That is all this proposal does.

As I said earlier, it is amazing to me what little incentive it takes to cause Americans to do great big things. When we do that, the parents of 20 million children are going to open up 14 million accounts, and they are going to save \$12 billion, and I think it will be much more.

So all of us who are interested in education will have had a role in infusing into every form of education—public, private, home; whatever—billions of new dollars that go right to a child's most specific need. Because there is no one who can guide or understand that need more clearly than their parents,

these dollars are worth far more than some broad-based public education program.

The second point I make with regard to the Senator from Minnesota is that he talks about programs and responsibilities that are clearly not Federal. Education in the United States is governed by, and will continue to be governed by, the States. That is why last year we passed the Education Flexibility Act, which was called for by every Governor—every Republican Governor, every Democrat Governor—to give them more flexibility. They said: Don't tell us in the States what we need to set as our priorities; we will do that. They are not interested in the Senators from Minnesota or Massachusetts or Georgia saying: This is what your priority is. They want to determine that themselves.

The Senator from Massachusetts was citing different polling data, but one figure he did not mention that I will be glad to supply him with is: Do you want the Federal Government to manage local schools? The answer is a resounding no.

What we are doing is augmenting, empowering parents and their local communities to do the things they perceive are important for their child or their school system.

The Senator from Minnesota referred to school construction, but the proposal of the Senator from Florida, Mr. GRAHAM, is in the bill we are discussing, which aids local communities in school construction.

Virtually everything I have heard the other side of the aisle talk about, in one way or another, is being assisted by the various components of the bill. We are helping in continuing education. We are helping in school construction. We are helping students have personal computers. We are dealing with the digital divide. We are dealing with special education needs. We are dealing with all of it.

As I said, it remains somewhat mind boggling to me to understand why legislation that is so positive for every segment of the population would be opposed, particularly in light of the fact it has already passed the Senate with 59 votes. The Senate has ratified this proposal. The Senate believes in this proposal. It was a bipartisan vote that caused that.

I will not keep the Senator from Rhode Island from his remarks. I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. I thank the Senator from Georgia for yielding the floor.

We are all—every Member of this Senate—vitaly interested in the health and welfare of our educational system throughout the United States. We are taking divergent roads to try to improve that system.

I rise today, though, in opposition to the Education Savings Account provisions of this particular legislation. I think it is both bad tax policy and bad

education policy. In fact, I think one of the great dividing lines between those who support this legislation and those who oppose it is whether or not our primary responsibility is to enhance, support, indeed, to reform public education or to somehow, in general, provide disbursed resources to parents.

Our primary goal should be to enhance and reform and provide better public education. This legislative proposal, as well-intended and well-meaning as it is, does not do that. As I said, it represents both bad tax policy and bad education policy.

In terms of the bad tax policy, it is a preferential distribution to wealthy Americans. If you look at the analysis by the Treasury Department, it shows that this legislation would disproportionately benefit the wealthy and provide little or no benefit to low- and middle-income families.

Indeed, 70 percent of the tax benefits under this bill would go to families in the top 20 percent of the income bracket. This is bad tax policy because one of the problems we have today is the growing divergence between low- and middle-income Americans—working Americans—and upper-income Americans—not to suggest that upper-income Americans do not work. But what I am suggesting is that over the last 7 to 9 years of unprecedented growth in the economy, with a huge bonanza on Wall Street, we have seen the wealth and income of upper-income Americans grow significantly. We have not seen the same kind of effect—although we are beginning to see it—for low- and middle-income Americans.

When we go into the tax system and create a tax preference such as the one proposed in this legislation, that remarkably benefits upper-income Americans, we are exacerbating that bifurcation of benefits, that bifurcation of wealth and income.

If we are talking about effective tax policy, we should think of ways, rather than benefiting the well-to-do more, to try to provide those low-income and middle-income Americans with more tax relief. This bill does not do that.

In fact, 7 percent of the families with children in private schools would receive over half the tax benefits in this bill. I also suggest that these families probably are not sending their children to private schools because they need assistance. They are sending them to private schools because they have the means to do it—and, in fact, many other reasons. They are not sending them, I think, in any conscious way, to improve the public school system.

That is where there is this disconnectedness between tax policy designed to help private schools and the involved commitment of so many of the Members of the Senate who are trying to reform public education. I do not think there is a connection. I think parents who are sending their children to private schools today—and it is their prerogative—are doing so for reasons unrelated to the social advance-

ment of other students or the social advancement of the community. They simply think a particular school is the best school for their child. Today they can pay for it. They will continue to pay for it—with or without this legislation. That is their choice.

One of the good things about our educational system is, we do have choices such as that. But the real question is, should we be subsidizing that choice with our tax system at the expense of public education? Should we subsidize education in a way in which the greatest subsidy goes to the most affluent Americans? I think the answer is clearly no.

It has been estimated by the Joint Tax Committee that if you look at the tax benefit for the average family—not the wealthier family, not the lowest income family who might possibly avail themselves of this provision—the average benefit is estimated to be little more than \$20 over 4 years. Over one year the benefit translates into paying for 3 notebooks, 14 erasers or 1 box of crayons for the 90 percent of taxpayers who have children in public schools. We can, in fact, do something better, at least, for those in public education with this money. We should do that. So from a tax perspective, I think this bill is questionable.

Let me raise one other point, perhaps a technical point. These IRAs for education were designed to help people receive higher education, to be able to save for very significant tuitions. The presumption is that families will begin to save, either when they are just starting out in married life or certainly when the first child comes along, but that it gives them at least 18 years to accumulate the principal in this IRA account, and interest which is tax exempt, and then 18 years later, having a significant amount of principal and accumulated interest, they could begin to draw from it.

I must confess, I am not a tax expert. But I wonder, just on a technical basis, whether elementary education is the most suitable mechanism, if you will, the most suitable objective for these types of IRAs, since at most you have 3 or 4 or 5 years before the child goes to first grade to begin to accumulate. If you have several children, these funds might not be useful at all or be so disbursed. That is a technical point.

The basic point about the tax policy aspect is that essentially the benefits go to very wealthy Americans. The benefits are not an inducement or incentive to go to private schools. They are going to private schools anyway. They will go to private schools without this. Anytime we take money away from public education, we are really taking it away from children who need us to stand by them and need us to put all of our efforts into reforming public education which should be free and excellent for all of our citizens.

That aspect of the tax policy is one reason one could object—and I do object—to the legislation. The other as-

pect is the question of education policy. We have heard all of our colleagues come to the floor talking about education as a primary concern of the American public. That is absolutely true. They want to have a good system of public education.

As the Senator from Georgia pointed out, they don't want us to run it from Washington, DC. I agree with him on that. But they certainly want Washington, DC, to participate in the reform of American education. They want Washington, DC, to be a force, not a dominant, controlling force, but a catalyst for real reform at the State and local level. They want specific needs addressed. They want better facilities for their children. That is why many of my colleagues on the Democratic side have proposed significant support for local initiatives to rebuild and renovate schools.

I don't know about my colleagues, but every time I go back to Rhode Island, I have city council and school committee members come up to me and say: What we need is some money from Washington to help us with our school construction and modernization programs. That is a real concern. Frankly, if we support this type of tax break or tax advantage, which will flow primarily to private education, we won't have the resources to go in and help local communities rebuild and revitalize their schools.

Also, if we look at some of the other processes going on at the local level in terms of how do we make better schools, one critical issue that has been identified in recent polling is the need for more parental involvement in public schools. I know that proponents of this proposal are talking, I think quite sincerely, about empowering parents.

But we have another challenge when it comes to parents—getting those parents into the life of the public school. It is getting those parents to be involved in the education of their children in public schools. We can't do that simply by wishing for it. We have to provide support and resources. We have to provide training for teachers to be more adept, more sensitive to the needs of a new type of parent.

Particularly when you go into low-income communities in this country, both rural and urban, you find many times young parents who themselves had a very difficult experience in school. They are not the most adept at or interested in going back into the schools and being part of their child's education. We have to recognize that.

In my part of the country—frankly, in every part of the country today—we have many parents whose first language is not English. Again, if we really want to help our public schools—which I argue is our first and primary responsibility—we have to empower schools and teachers to deal with these types of parents. We can't do that if we take resources away from public education and target it through tax breaks

to private education. In fact, I argue—and I have submitted legislation to this effect—we should provide resources for public schools to have much more effective outreach to parents, much more effective ways to involve them in the life of their children.

That might be a more fundamental and more significant form of parental involvement and real parental choice than is offered by this tax bill. It may for the first time give parents, particularly those of low-income children, a real voice in their child's education in a public school. That is something else, again, I believe we should do. But if we take resources away from public education, we won't be able to do it.

We also have to ensure we have good, well-qualified teachers. Frankly, in many school systems we can't say that with confidence. I ask the Senate: How does this legislation before us in any way help public schools have better teachers? It doesn't. I think the logic and implication here is that it will assist, encourage, subsidize parents to put their children in private education.

I believe rather than walking away from a problem—indeed, a problem we should be dealing with directly—we should focus our attentions on the problem and our resources. In the area of teacher preparation, we could use the billions of dollars that would be involved in this program to enhance professional development, first, in the teacher colleges where the new teachers should learn about the new classroom, new technology, new techniques, and then, second, by integrating into public education the kind of comprehensive teacher preparation that is part of the curriculum, teacher mentoring, allowing principals to have more time to actually be education leaders. You can't do that for free. You need resources. We can help, not by dictating to the States but by essentially giving them the chance to qualify for grants that will help them do innovative things.

So for many reasons, a policy of simply telling parents you can leave the public school system with a subsidy is bad education policy because it doesn't go to the core of what we should be about, which is making sure that every public school in this country provides excellent education for all of the students.

Public education has always been the great leveler in this country. I went to parochial school, but that was a choice of my parents. There was always public education there for me, for them to choose. Perhaps this is nostalgia at this point in my life, but it was always perceived to be excellent education, good, solid education, getting people ready for the challenges of the last century. Now we have to get ready for the challenges of this century, and still we need public education.

Again, I believe this proposal is motivated by the same desire that is motivating every Member of the Senate—finding a way to improve educational

opportunities for Americans. My disagreement is that our focus should be on public education, and this proposal does not focus in on public education. In fact, it draws resources away from it.

Also, I object because of the tax implications. Now is not the time to essentially provide tax incentives for people who already, and are likely to continue to, do what we are trying to subsidize, particularly when the benefits are so overwhelmingly skewed to the very affluent in our country.

I object to the legislation. I hope we can come together again. We can talk about some of the issues which I hear day in and day out from parents, from elected officials, from school superintendents back in my home State: How do we fix up our schools so they are not remnants of the last century and the 19th century? We have school buildings in Rhode Island built in 1878 and 1876 that are still being used. We have others that are almost as old. How do we deal with those issues? How do we prepare better teachers? How do we reduce class size? because we know from analyses and evaluations that smaller class sizes are beneficial, particularly when it comes to minority children. How do we do this in the context of public education?

That is where we should be focusing our attention. That is where I hope we can focus our attention. I urge this measure be put aside so we can get on with what I think is our top priority: Reforming, reinvigorating public education so we can say with great confidence on the floor of the Senate—and we cannot say it today—every school in this country gives every child in this country the chance to develop their talents to the fullest. Every public school does that. Until we can say that, I suggest we concentrate on improving public education, not subsidizing private education.

I yield the floor.

The PRESIDING OFFICER (Mr. COVERDELL). The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I would like to thank the Senator from Georgia for his leadership and dedication to education reform. I also appreciate the comments of the Senator from Rhode Island. Really, we are sort of talking about two different games. Senator REED is talking about tennis and we are talking about baseball. We have, in the Health, Education, Labor and Pensions Committee, of which I am a member, a dedicated effort ongoing right now to reauthorize for 5 years the Elementary and Secondary Education Act. It contains issues dealing with teachers and poverty and disadvantaged children and how to get money down to the teachers and the people who know our children's names. That will come up later this spring, or as soon as we can possibly get it out. ESEA is where most of the issues that the Senator from Rhode Island and his Democratic colleagues have raised should and will be dealt with.

I have been in probably 15 schools in Alabama since the first of this year, and I am not hearing people say they want the Federal Government to take control. Rhode Island is one of the more wealthy States in the Union, they might want school buildings, but in Alabama, they are not telling me that. I have met with teachers, principals, and school board members, the head of the teachers union, and the State Superintendent of Education, talking to them about what the Federal Government can do to improve learning. What we are here for and what we want to do is facilitate children learning. And for the record, that only occurs in the classroom, where a teacher and a child come together at that magic moment when good things happen. It doesn't happen in Washington, DC, or with bureaucracies and policies like that.

Senator WELLSTONE wants to spend it on early childhood. The Senator from Rhode Island wants new teachers. I might add, that we did hire 100,000 new teachers last year. Twenty-five percent of that money can be used for professional development of teachers. This Congress spent about \$300 million to \$500 million more on education last year than the President asked for and more than the Democratic leadership asked for in their budget. So we are not chintzy on education. The question is, what do we do?

The bill in front of us deals with some inequities and problems with the tax code which prevents people from going on and paying for their education. Everybody has to do that, whether it is in public schools or private schools. For example, a big part of this legislation is a bill, S.13, which I offered; called the "CLASS Act." That act is the Collegiate Learning Students Savings Act. What we found was that 39 States in this country right now—and probably 42 or more by the end of this year—have programs to encourage prepaid tuition savings. People would prepay tuition for higher education; they set aside the money today for tuition tomorrow.

What we found out is that although the States make the interest on those contributions tax free, the accumulation of that money in those accounts is still taxed by the Federal Government when it is withdrawn. Now, what is wrong with that? I say that is not good public policy. It is not good public policy at its most basic level because what we are doing is taxing good behavior. We are taxing people who do the right thing and go about saving for higher education. At the same time, this Congress over the last number of years has enhanced steadily the subsidies we give to people who borrow money to go to college. There are a lot of subsidies—interest deferments and other tax changes—that encourage people to borrow. In the last decade, we have had more debt incurred for college expenses than we did in the previous three decades.

Good public policy ought to say that if you care enough to set aside money on a regular basis to pay for your child's education, the tax man ought not to penalize you for it. As Senator COVERDELL himself said earlier, we are getting such leverage from this money. We will probably save, in my opinion, more on the back end by having less loans that we have to pay and subsidize by this Congress than we would by allowing the tax deduction to begin with.

I want to share some things about this idea that these tax changes are just for the rich. Of course, you never know how they define rich. You may have a man and a woman who are both working hard and are making \$75,000, \$80,000, and some intend to call them rich. Those are people doing what we hope every American is doing—working hard, making \$30,000, \$40,000, \$50,000 a year, and we burden them consistently with taxes. They have to pay, pay, pay. The breaks always seem to go for somebody else because people would say they are rich. I don't agree with that.

Let's look at the numbers we have on who is taking advantage of prepaid tuition plans. We have quite a track record around the country of those. It is middle-income families that are taking advantage of these plans, not the rich. In Florida, 71 percent of the participating families in the Florida prepaid college program have annual incomes of under \$50,000, and 25 percent have incomes of less than \$30,000. They are steadily putting money aside every year, every month, every week to help pay their children's education—a dream they have. Maybe they didn't get an education. My parents didn't get to go to college. They did everything they could to see that I could go to college. They didn't have a lot of the things that you have today that would help.

Mr. President, 72 percent of the tuition contracts in the Alaska Advance College Tuition Payment Plan—a similar plan—have been purchased by families with incomes of less than \$47,500; 81 percent of the contracts in Wyoming's plan have been purchased by families with annual incomes of less than \$34,000; 62 percent of the contracts in the Pennsylvania plan have been purchased by families with annual incomes of less than \$35,000; 36 percent of the participating families in the Texas Tomorrow Fund Program have annual incomes of less than \$50,000. The average monthly contribution to a family's college savings account during 1995 in Kentucky was \$43 a month. Just \$43 a month.

According to the Joint Tax Committee's score, the cost of this bill is \$174 million over 5 years. That is all it costs. But I promise you that it will increase savings. In fact, not too long ago, I saw an article in one of these financial advisory magazines that wondered whether or not they considered it sort of a wash, whether it was a good investment to put your money in a col-

lege savings plan if they are going to tax the interest on it. I can see why this would be an inducement to make absolutely clear that it is a smart investment to invest in savings accounts while your children are young.

Mr. President, I believe in education. I taught in a public school for one year. I got to do something easy after that, I went to law school. Anybody who hasn't taught doesn't know how difficult it is. My wife taught for a number of years in public schools. I have been there when she came home at night in tears over the frustrations and difficulties of teaching. Teachers care about their kids. It is tough in those classrooms day after day. It is frustrating. So often what I am hearing when I talk to teachers is that Federal regulations are making their lives more difficult than they would be otherwise. They are telling me that if you would give us freedom to use some of the money you are giving, we could do more with it. You don't know in Washington. What do we know in Washington?

We can't write a law that can appropriately provide in a sensible way precisely what is needed in schools that are different—schools in the Northwest, schools in the big cities, schools in the small towns. Each State has different systems of education. Some are desperate for new teachers. Some need more buildings. Some need more computers. The Senator from Minnesota said Minnesota didn't have textbooks. Minnesota ought to have textbooks. They have enough money to pay for textbooks. Alabama has textbooks.

Another thing we need to know and remember very clearly—I think it is so important—is we need to do everything we can in this Congress to improve learning. We know, despite the fact we are second only I believe to Israel in per capita spending on education, that our test scores are not good. We finished 19th out of 21 industrial nations in math and science test scores, and 21 out of 21 for physics test scores. Somehow something is not working in our educational programs.

I believe the answer to it—from my travels and from talking to teachers and close friends of mine who are teachers—is that we need to focus our attention on the individual schools, even down to the individual classrooms because that is where learning occurs. We need to empower the people who know our children's names. The Federal Government simply does not have the clout to tell schools how to run their systems. In case many of you may not know, the Federal Government provides only 6 percent of the cost of education in America. Historically, education has always been a State and local enterprise. We have local school boards. We have local superintendents. We have principals who participate in the civic clubs of our community, who know our parents, teachers who know our parents, and PTA associations. Education is local.

One of the best speeches I have ever heard on this floor is the one Senator BYRD from West Virginia shared about the one-room schoolhouse he went to. I didn't go to a one-room school. But it was a country school. They brought water from the spring in a bucket and we drank from a single dipper. It seems he has done rather well. There is not a more educated person in this Senate than Senator BYRD. There is little doubt about that.

I believe we need to look at what we are doing. What is this legislation about? This is not a cure-all to educational problems. This is simply a proposal to allow tax policy to encourage people to save for education. What is wrong with that? The cost of it is infinitesimally small compared to what we are spending in this Congress on education. It is minute. But it would increase substantially parental involvement in making money available to educate children according to the wishes of the parent. It is a good idea, I believe, and a healthy idea.

I wish to say again how much I appreciate Senator COVERDELL's leadership with this effort. Senator ROTH, who chairs the Finance Committee, is committed to improving education, Senator BOB GRAHAM from Florida, who has been a steadfast supporter of making prepaid tuition plans tax-free, and my good friend Congressman JOE SCARBOROUGH of Florida who has sponsored the House companion to the CLASS Act. I think this is a solid first step toward encouraging people and affirming people to care enough to save for the education of their children. Who can be against that?

I thank the Chair. I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from West Virginia.

Mr. BYRD. Mr. President, I thank the Chair.

#### SENATOR ROCKEFELLER'S FIRST GRANDCHILD

Mr. BYRD. Mr. President, it is my pleasure to congratulate my esteemed colleague, Senator ROCKEFELLER, and his wife, Sharon, on the occasion of the birth of their first grandchild. Laura Chandler Rockefeller was born on Wednesday evening, February 16.

February, the second month of our calendar year, is from the Latin, *februarius*. It is a word of Sabine origin, signifying purification. The Roman festival of purification was held during this month. Nature, in the midst of Winter, with its cold, yet cleansing air, is preparing for the glorious blooms of Spring. And, in this or any season, what can more exemplify the innocence and purity of life than a newborn baby?

Laura's proud parents are Senator and Mrs. Rockefeller's eldest son, John, and his lovely wife, Emily. Laura is in good hands. She is blessed with parents, and grandparents, who love her, and who love learning. John is



completing his doctoral studies in English Literature at Johns Hopkins University, and Emily is a teacher. The first, the most profound, teacher we have is our mother. When we first enter this world, in a blaze of light and confusion, in such frightening contrast to our earlier serenity, it is mother who comforts us. It is mother who soothes our cries, who cradles us safely in her arms, and rocks us to sleep. This is the first, most precious gift of a caring mother.

I have no doubt that John and Emily will teach Laura the joy, the lifelong comfort, of the great books. The great, old man who raised me, my uncle, was truly the most remarkable man I have ever been privileged to know. He was just an old coal miner. He was not educated in this world's halls and universities. He was a wise man and a hard-working coal miner who played his part in life with a stoic and dignified determination to do his best for his small family, for his country, and for his God. He encouraged me to read, to learn, to develop my mind to the best of my own abilities. As another great man wrote, "The reading of all good books is like conversations with the finest men of past centuries."

Carl Sandburg once said that "a baby is God's opinion that life should go on." One of the greatest joys of our existence is to simply hold a newborn baby, especially if that baby is our own daughter, or son, or grandchild, or great grandchild—just to hold a newborn baby that possesses all of the freshness and the newness and the promise of life. We gaze in awe at this valiant little creature, so helpless, and yet so strong, as its tiny, perfect fingers grasp our own little finger with eager curiosity and awareness and pull that finger about.

No flower-bells that expand and shrink  
Gleam half so heavenly sweet  
As shine on life's untrodden brink  
A baby's feet.—Algernon Swinburne.

In my experience, parenthood is a challenging balance of love and responsibility. It is a tapestry of the finest, and most delicate, weaving. We love and guide our children, and we try to always honor this awesome commitment. And we see a pageant of hellos and goodbyes. Children grow up. They go away to school. They go to work, marry, and have children of their own. And then, there are greetings to new and wonderful additions into our midst. For a grandparent, this tapestry, in the glow of a family's history, becomes more elaborate, more richly colored, and more easily observed. It has been one of the greatest delights of my own life, and in Erma's life, to witness this amazing procession of life following after life, seeing a new plateau rise, new plateau of immortality, a new taste. We wish Senator ROCKEFELLER and Sharon the same happiness that has been our experience.

Laura is the granddaughter of one Senator, and the great-granddaughter of another, our greatly admired former

colleague, Senator Charles Percy. In these fast paced times, more than ever, grandparents are an essential refuge of reflection and continuity between the generations. They are the living history of our shared past. In their reminiscences of earlier days, in their principles forged over a lifetime of experience and hard work, they offer a unique, valuable perspective of a complex and intricate world. I recall with considerable awe the birth of my great granddaughter, Carolyn Byrd Fatemi, born on March 4 of last year. March 4 in the old days was when the new Congress came into session, and a new President was sworn into office March 4. Now that day is the birthday of Erma and my great granddaughter, Carolyn Byrd Fatemi. It is a joyous, and humbling, realization to truly see oneself as part of that intricate tapestry of successive generations.

A new baby, so fragile, so tiny, so soft, so sweet, so delicate, and yet so determined to join this wonderful, maddening world, stirs our hearts and reminds us once more of our enduring link to the eternal. As William Wordsworth wrote,

Our birth is but a sleep and a forgetting:  
The soul that rises with us, our life's star,  
Hath had elsewhere its setting,  
And cometh from afar;  
Not in entire forgetfulness,  
And not in utter nakedness,  
But trailing clouds of glory do we come  
From God, who is our home:  
Heaven lies about us in our infancy!

Erma and I also congratulate Senator and Mrs. Rockefeller on the engagement of their daughter, Valerie, to Mr. James Douglas Carnegie. Perhaps the greatest transition in a person's life is when he makes that great leap from "I" to "We." It is the beginning of a journey with a beloved partner, who will share life's joys, and ease its inevitable burdens. My own treasured wife, Erma, and I have been on this wondrous journey for sixty-two years, and it will soon be 63, the Lord willing. To Valerie and James, I would wish the benediction of Milton, "Mutual love, the crown of all our bliss."

Senator ROCKEFELLER has worked tirelessly for the people of West Virginia for over thirty years. It has been my great privilege to work alongside him in this Chamber for the past fifteen years. He has been a tenacious champion of developing economic opportunities for West Virginia's workers, and a compassionate, determined voice for children, for senior citizens, for our nation's veterans, and for our retired coal miners. I could not wish for a more capable, diligent and congenial colleague. I offer Senator ROCKEFELLER my best wishes on these happy occasions for his family, and also my sincere gratitude to him for his intelligence, his strength of character, and his friendship.

Congratulations again, 100 times, on the birth of this beautiful little granddaughter. How proud he has to be.

I yield the floor.

Mr. COVERDELL. Mr. President, I say to Senator BYRD, that was a most

enjoyable presentation. I am glad I was here to have an opportunity to hear it.

Mr. BYRD. I thank the Senator.

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

Mr. COVERDELL. Although there is no unanimous consent, we have been moving back and forth on both sides. Under that scenario, Senator GRAMS is here and will make a presentation; Senator KERRY is the next speaker.

Mr. KERRY. If I may ask, Mr. President, how long does the Senator from Minnesota plan to speak?

Mr. GRAMS. Four or five minutes.

Mr. KERRY. I have no objection.

#### AFFORDABLE EDUCATION ACT OF 1999—Continued

Mr. GRAMS. Mr. President, I come to the floor today in support of S. 1134. I would like to make a couple of brief remarks as we consider this very important piece of legislation, the Affordable Education Act. This is a bill that would expand the right for parents to save money for their children's education without incurring a tax liability. Very simply, allowing parents to put some money aside to help their children's education, and do it without incurring tax liability, is a win-win situation.

The proposed new education savings account would allow families to contribute up to \$2,000 per year in a savings account for a variety of public or private education-related expenses. Current law allows parents to save up to \$500 per year for their children's college education without penalty. However, the expanded education savings accounts would allow parents to save more tax-free, and the money could also be used for children's kindergarten through 12th grade education expenses as well as college. These education savings accounts help working families, and deserve the support of this body.

I would like to provide a Minnesota perspective on this debate, because we can learn from what has happened in my home state with a similar education initiative. S. 1134 is similar to a tax break for working families instituted in Minnesota by former Governor Arne Carlson.

Governor Carlson and grassroots organizations in Minnesota fought for and won an education tax credit, enacted in 1997, which, like Mr. COVERDELL's bill, can be used by parents to offset the cost of certain expenses made in the education of K-12 students in public, private or home schools. Thanks to Governor Carlson's initiative, low and moderate income families in Minnesota can receive up to a \$1,000 per child tax credit for qualifying expenses such as tutoring, after-school or summer academic programs, music lessons, textbooks, and instructional materials—to allow the children these educational opportunities. Families with higher incomes are not eligible for the tax credit, but can still claim a tax deduction for similar education expenses.

When the legislation was proposed, various polls rated support for the tax credit and tax deduction package between 58 percent and 72 percent of the population of Minnesota. They supported this concept. Support for the tax credit and deduction has remained. In 1999, the law was expanded to raise the income threshold for eligibility for the tax credit to permit even more families to participate. The 1999 bill to expand the tax credit eligibility was passed with bipartisan support—in fact, you could even call it “tripartisan” support, since Governor Ventura signed it into law. About 150,000 families are expected to take advantage of the tax credit and deduction this year.

So in Minnesota, families have simultaneously been provided real tax relief and real opportunities to expand the education opportunities for children. And 3 years after the initiative was passed into law, the sky has not fallen in Minnesota, it is not a mortal wound to public education—in fact it helps students in public schools as well as private schools—and again, it became popular enough that the legislative subsequently expanded eligibility for the tax credit.

Today in the Senate, we have the opportunity to enact similar legislation that helps parents help save money to ensure that their children will get a quality education. Parents should always be in the driver's seat when it comes to education decisions, and this bill simply empowers them to do more to help their kids get ahead. S. 1134 deserves our support.

I yield the floor.

The PRESIDING OFFICER (Mr. VOINOVICH). The Senator from Massachusetts.

Mr. KERRY. Mr. President, there has been a long discussion here. I do not know if I am the last in the course of the afternoon. If I am, I apologize profusely to those who are enduring until we are released, but I would like to share some thoughts regarding this bill, if I may. We are not sure what the status will be tomorrow morning with respect to debate or opportunity to comment on it.

I just heard the Senator from Minnesota say the sky is not falling in. It is not the end of public education for the small amount of experiments that have taken place in Minnesota. I am sure that is absolutely true, looking at the amount of money involved, maybe \$7 a year to a family using it for K-12, because once they have put whatever money aside they could in order to take advantage of K-12, the amount of interest buildup is not that great. So obviously we are not talking about the grandest sums of money. That is not what is really at stake.

In point of fact, the small amount of money is, in and of itself, an argument against doing what we are doing because it barely makes a difference to most of these families—though our colleagues who are advocating it argue

that whatever difference it makes, it is worth trying to make that difference. But that obscures what is really at stake here. It obscures the very significant, large issues about what the Senate ought to be doing, about what the real priorities of education in the country are, and about the inappropriateness of the underlying principle on which this bill is based.

So it does not matter how much money, whether it is \$10, \$20, \$30. It is a question of whether or not we are addressing the real concerns of education; whether or not this is what the Senate ought to be doing as its first act of speaking on the issue of education in the year 2000. It is astonishing to me that given the breadth of the education needs of the country, and given everybody's acceptance that education is perhaps the single most important issue to the Nation, here we are, when we could spend weeks on the critical issue of a broad-based approach to education, we have one little tidbit, one little piece of bait hanging out there as a statement of where our colleagues on the other side of the aisle seem to want to come from with respect to the larger issue of education itself.

What am I talking about? In the legislation, on page 5, where it talks about a qualified elementary and secondary education expense, it says specifically that this can go to anyone who is:

... an elementary or secondary school student at a public, private or religious school. ...

This is an enormous transition for the United States of America because what we are talking about is a first-time extension of a significant tax approach to secondary and elementary school, private, and religious education. We have historically always drawn a critical line between higher education and secondary and elementary education. We do that for a lot of different reasons, not the least of which is that the Federal Government has never assumed fundamental responsibility as a national priority, if you will, for every person in America going on to higher education. Though we hope it, we want it, we encourage it, we have Pell grants, we have student loans, we have all kinds of ways in which we encourage people to do that, but we do not have the breadth of touch on the students because of the great breadth of educational opportunity that has grown up privately in the country.

That is not true in public education, which has been a commitment for secondary and elementary schoolchildren since this country's founding when Thomas Jefferson first talked about the pillars of education; since the days when we first made our commitment to a public education system that would help serve as the great melting pot/equalizer, if you will, by which we help to bind the country together as a country. That was going to happen, not through divisions of wealth but, rather,

through people knowing that by every child in America sharing in the opportunities of public education we would build that kind of country.

All of us understand the educational system we have today is not performing, in some places, in the way we desire. It is, I might add, performing an awful lot better in a lot more places than many people want to admit. The fact is, there are some stunningly capable, extraordinary public schools across this country. They are providing students for the best universities in the Nation.

What we need to talk about on the floor of the Senate is how we are going to empower every public school in the country to be able to replicate the best practices that take place at those other extraordinary public schools, or, I might add, at a private school, or at a religious school. But we do not fund it, and that is what this legislation seeks to do.

It is called the Affordable Education Act. I am not sure why it is called the Affordable Education Act because only those who can already afford to send their kids to a parochial or to a charter school or some other kind of school really are going to benefit from it. It is hardly going to be affordable to the families for whom the question of affordability is most important. It is certainly not going to be affordable even for those families who are already making savings because the amount of money they are allowed to put away hardly makes anything affordable. Finally, it really is not affordable because it applies to so few kids.

Ninety percent of the children in America go to school in public schools, and nothing in this act is going to alter that one iota. Ninety percent of the kids in America go to school in public schools. What we really ought to call this act is the Alternative to Public Education Act because that is really what it seeks to do. It seeks to establish a new principle by which we can come back each year and begin to build up the amount of money that some will fight for to put into savings accounts so that ultimately it will grow to a sufficient amount that, indeed, will become the alternative to public education for those who have the ability to make that choice or, for various reasons of abandonment of the public school system, are encouraged to do so as the only way to send their kids, in their judgment, somewhere that will make a difference.

What we ought to be talking about in this Chamber today—in fact, every day until we complete the task—is how we are going to guarantee that every school within the public school system has a fair opportunity to make of itself what schools in the richest communities make or schools which are the beneficiaries of remarkable endowments or parents in various parts of the country who have enormous sums of money and, in some cases, schools which are not necessarily dependent on

a significant amount of money but which have a core group of parents and students which allows them to behave in a way that is different from some schools in the inner cities or in rural areas where it is much tougher to build that kind of support.

The question the Senate ought to be debating is why we are not here as our first act trying to guarantee the real promise of America, which is to make certain that all of our children have an opportunity to go to schools that will make a difference in their lives on the positive side of the ledger.

We have been around this sometime before in the Senate, and it grows increasingly frustrating as we continually come back with these scatter-shot, little tidbit efforts. I know my colleague from Georgia does not view it as a tidbit. I know this is important to him personally. I know it is important to some colleagues on the other side of the aisle. But you cannot look me or anyone else in the eye and suggest this can pretend to be a comprehensive approach to the education needs of this country. If it is not, you cannot convince me that this is where we ought to begin the debate about what we are going to do to fix the schools in the country.

I have come to the floor and said this to my colleague from Georgia. I do not understand it. I know no one is going to accuse me of not being here long enough to understand it. I think I have a pretty good sense of how the politics of these issues work, and I still am frustrated and do not understand it because I do not think we are always that far off. Yet we continually keep talking past each other.

I heard the Senator from New Mexico, Mr. DOMENICI, argue that we ought to have a very significant increase in the amount of money we put into education. I am confident that when he was Governor, the Chair understood full well the difficulties of some of the urban centers of the State he represents on how hard it is, based on a low tax base, to provide for computers or provide for sports programs in the afternoons or for libraries that stay open or afterschool programs or remedial programs for kids who are having trouble learning. These things do cost money.

The fact is, there are communities in our country that do not have a tax base to go to. Yet we have an agrarian-based structure that suggests we still ought to have a school system working on those old hours as well as on the old funding mechanism.

Where does the money come from? The money comes from property taxes, except to the degree they get money from the State treasury in either some form of education reform or other disbursement. For too many communities, they have zero ability.

In our State, we had the same tax revolution everybody else in the country had. We had a limit on the amount property taxes can be increased—and

properly so, I might add. There are a lot of families on fixed incomes. There are a lot of senior citizens who have paid for their homes who do not have the income stream to support an increase in revenue. There are a lot of young families starting out who do not have the ability to find the extra cash-flow to pay for the property tax increase that might be necessary to adequately fund a really excellent school system.

What do we do? We merrily go down the road ourselves ignoring this fundamental reality.

I am with my colleagues on the other side of the fence. I do not want to throw money down a dark hole. I do not want to give money to a school system that is layered with politics, or has an inability to hold the teachers accountable, or does not have a structure that involves parents and has accountability of what kids are learning. I do not think anybody in the Senate wants to do that.

So I am having difficulty understanding why it is we cannot find a formula by which we are prepared to put some money into the system requiring those systems to embrace real reform, leaving up to those systems—and this is important—the determination of how they will get their kids to the end goal of a superlative education.

I do not think the Federal Government ought to run that. I do not think we ought to come trotting in with some new mandate and tell people, if you do not do this—that is not what this is about. We are only 7 percent of the budget of schools across this country.

Moreover, it is a steadfast principle that none of us wants to break that somehow the Federal Government ought to be involved in running the schools. We do not want that. I do not want that. I believe in local control, but local control has to mean also local empowerment, local capacity, local ability to do some of these things.

None of our colleagues can ignore the fact that if you are a young law student getting out of law school, one of the better law schools in the Nation, and you go to work in Boston or New York, you are going to start out now at \$140,000 with the top law firms. Right out of law school, you can earn as much as a Senator, which may not be an appropriate measurement of anything, but that is what we are valuing.

A teacher comes out of college with \$50,000 to \$100,000 of loans, which they are required to start paying back the minute they go to work. They are going to start at \$22,000, \$21,000, \$23,000, maybe work their way into the thirties after they have 15 years and a master's degree, and, depending on the school system, they can be at some school systems where they can get into the sixties, but with most of them they are in the forties after almost a career of service.

How do we turn to any student saddled with those loans in college and

say: Ignore all those dot coms where you can earn 60,000 bucks almost right out of school, ignore the opportunities of the marketplace where there is 4-percent unemployment and you have this extraordinary gap in all the technological fields where the greatest restraint on growth to our Nation is going to be the lack of an available skilled labor pool, and we are going to say to kids who are facing that kind of job market: Come teach and be a pauper; come teach, but forget the notion that you can share in that cape cottage or buy that extra car or have a longer vacation; you are going to just eke it out, you are going to just make it, but we expect you to raise your family the same way everybody else does and to live by the rules, and so forth and so on.

Are we crazy? We have lost all sense of proportion if we are not willing to try to recognize that if you are going to value teaching, you have to value teaching. That means valuing it by putting a fair market value on the people you want to have teach.

Does that mean that in exchange for that fair market value, you had better get your return? You bet it does. Does that mean accountability? Yes. Does that mean if you are not doing the job properly, you ought to be able to be fired? Yes. Does that mean you may have to work longer hours in return for that? Yes, it does.

I do not understand why we cannot come to some kind of an agreement that liberates every school system to go out and be the best it can be, and to let parents have choice, and have competition within the public school system. I am all for that. That is the best form of accountability there is in America—competition.

I have seen this happen. I have gone to many blue ribbon schools and have said: Why is this a blue ribbon school? What is it about this school that makes it a place where parents are clamoring to put their kids, but you go 10 blocks away and there is a school nobody wants to go to? You can very quickly pinpoint real, tangible reasons those differences exist.

Generally it begins with the principal. There is a great principal in every blue ribbon school I have visited. One of the great deficits in America today is our lack of capacity to attract, in some of the more complicated systems, the principals we really need in the context of modern education. Once again, that is a reflection of the money involved. It is a reflection of the school system, the structure, and other kinds of things.

But we ought to be on the floor of the Senate with a comprehensive approach as to how we attract young corporate chieftains, who are able to retire today with extraordinary wealth, to perhaps come in and be the principal of a school for a short period of time, lending their expertise. Ex-military officers, who retire after 20, 25 years, and are still young and have great talents in leadership, could help to manage.

I forget the name of the general out in Seattle who passed away a year and a half to 2 years ago who did an extraordinary job of doing just that. He became beloved in the school system because of the leadership skills he brought to the task.

We should have a national effort geared to try to attract people and pull them into these jobs. If we did that, we could begin to create energy in our schools where they competed with each other. As the parents say: I want to go over to the Driscoll school. I think what has happened over there at that Bartlett school is not working for my kid, but over at the other school all the parents are raving about the school system. The kids are doing better in their homework. They seem to have more discipline. All of a sudden, the schools are going to reverberate with parents making that kind of choice.

This isn't novel. There are a lot of places in the country where that is happening today. It is working. There are many other ways in which we could have a greater level of accountability in our school system. All of this underscores what the real debate ought to be.

I am also astonished that we are quick to come to the floor of the Senate to put more money into tougher sentencing. We will put people away for longer periods of time in jail. We will build more jails. We provided more assistance in the crime bill to do that. All of those things are important. But isn't it equally important to try to prevent some of those kids from falling into those kinds of troubled lives when it makes a difference?

We know, to an absolute certainty, that the time when most of these kids get into trouble is in the afternoon when they are out of school, unsupervised, and they go back to apartments or houses where there is no adult until 6 or 7 o'clock in the evening.

I believe it was almost 8 or 9 years ago that the Carnegie Foundation did an extensive study pinpointing most of the difficulties teenagers had in the afterschool hours—unwanted pregnancies, drug experimentation, trouble on the street corners. All of these things have occurred because they were not in school and because schools did not have the afterschool programs necessary to provide the value-oriented structure they need.

Ask any child psychologist in the United States of America, ask any penologist in the United States of America, and they will tell you children need structure. When you release kids at 1:30 or 2 o'clock in the afternoon to almost a half a day of no structure, you are inviting the kinds of problems we have invited in the last years. It would be much cheaper to invest in long-term education, afterschool programs, early childhood education, et cetera, than to build \$50,000- to \$75,000-a-year prison cells for the people we have allowed to slip through the cracks.

People say: Do we really allow them to slip through the cracks? Let me tell you, I have visited some schools where kids have dropped out. In America, it used to be that you had a truancy system. If you dropped out or you left your school for a couple of days, teachers actually cared about it. They said: Wait a minute. Johnny is not here today. Where is he? Somebody went after him to find out what was going on.

Today, in cities all across America, a kid may not show up for school, and nobody does anything about it. Parents do not even know the kid did not show up. There is no money for truant officers? There is no money to track anybody? There is no way to do that? What do you mean? We are the richest country on the face of this planet. We have created more wealth in the last 10 years than at any time in American history. We have 460-plus billionaires in America today. We have had a surplus now for the second year in a row. We are sitting around toying with whether or not we are going to give seven bucks a year to people who already have money so they can send their kid to a religious school or a private school. What are we doing?

This place is losing its relevancy to the real problems of America if we cannot start at the beginning. The beginning is this broad-based problem that exists with respect to education in America. It is rampant. We understand that. How can our colleagues not come to the floor and say: It really does make a difference whether a teacher is being asked to teach 35 kids, 40 kids, 30 kids, 28 kids, or 18 kids.

I have talked to first-grade teachers who tell me they have kids coming into the first grade today who cannot do the things kids used to do when they went to the first grade. They cannot do simple shapes. They cannot recognize colors. They cannot do early numbers. The teacher has to take that kid and somehow mainstream that child while managing the educational life of all the other kids in the classroom. I challenge any of my colleagues to do that for a day or two and see how they feel at the end of that effort. When you shortchange that teaching capacity, you are shortchanging every kid in the classroom. It has lasting impact.

I will give you another example. Not so long ago, I visited the Castle Square Early Child Development Center in Boston. There are 67 kids—infants and toddlers—who are in the Early Child Development Center. Of those 67 kids, I think 98 percent are the sons and daughters of single parents. That is a cycle we are trying to break. We do not want to pass that on to the next generation. The best way not to pass it on to the next generation is to guarantee kids have the kind of structure that makes a difference in their lives. But for the 67 kids who were in the early child development center, there were 550 on the waiting list. Maybe 5, maybe 10 of the 550 will be lucky enough to

cross the threshold of that child development center before they have to report for the first grade.

Under the law of the land, you are supposed to report for the first grade ready to learn. But as we are learning, too many of these kids come to the first grade and are not ready to learn. So we have built a deficit into the system before we even begin. Then we turn around and respond by saying: The roof is falling in on the public education system of America. What are we going to do about it? Well, we are going to give kids an opportunity to go somewhere else. Where? To a private school, to a parochial school, to a charter school?

Mr. President, there aren't enough places in private schools, in parochial schools or charter schools in this country to save a generation of American children. We can't build those schools fast enough. There aren't enough seats. So we can talk about that as an alternative all we want. It is no alternative.

The alternative is to fix the public school system where 90 percent of the kids in this country go to school. Again and again, I say it, 90 percent. If we had the most ambitious program my colleagues on the other side of the aisle could design to have a voucher or to create some alternative, we couldn't take care of 5 to 10 percent of America's children, let alone 90 percent. If we want to fill those high-tech jobs, if we want America to match the increased focus of Asia, Europe, Latin America, and other countries on education as their primary need with respect to the digital divide and the economies of the future, if we are going to do that, we have to pay attention to the educational opportunities afforded to our youngest children at the earliest stages of life. It is incomprehensible to me that we can't find the capacity to make certain that those 550 kids can all get the kind of early input they need so we can alleviate some of the crises in our school system by sending kids to school ready to learn.

All of this is part of a mosaic: early child education, early maternal input. Whether a mother is able to properly provide nutrition for a child affects a child's learning ability. All of these things do. It is very fashionable by many in the Senate to say that is the responsibility of parents. Yes, it is. It is the responsibility of parents. I agree. But what do you do when there aren't any parents? What do you do when there is only one parent who is working two to three jobs in order to make ends meet because that is also what we want them to do in America? They can't find the adequate child care. They don't have grandma and grandpa living in the house anymore. That is another change in America. People don't live that way anymore in the United States. So we don't have that great continuum that came down through generations that used to be the great teaching mechanism. But that is gone now. We have empty households.

So what do we do? We can talk about family. We can talk about values. We can also talk about the other great teachers. Religion is one of the other great teachers, absolutely. But without the parents, too many of these kids don't have that either. If they are dropping out of school, they don't have the other great teacher. So we have millions of kids, literally, around the United States of America who don't have any of the three great teachers in life. They don't have the family teacher, they don't have the organized religious teacher, and they don't have the teacher teacher in school because they are at risk in dropping out.

How do we fill the gap? We don't. We are debating whether or not to fill a nonexistent gap, to give some money to people who have already made a choice to send their kids to these schools. That is who most benefit by the legislation on the floor of the Senate. The people who benefit by this legislation are people who can save that kind of money. They are the people whose kids are probably already in a religious school or a private school. They are the kids who are already availing themselves of those benefits.

I am not saying to my colleague there is no value in providing relief for one of those parents. That is why we voted for tax relief. That is why we provide student loans. We do lots of things to provide that kind of relief. I am all for that. But let us get our priorities straight.

It seems to me the first obligation of the Senate is to come here embracing an overall concept. I might add to my colleague from Georgia, here we are being asked to spend \$1-plus billion, \$2 billion. It is as in a vacuum. I am being asked to give \$2 billion to parents whose kids may go to religious or private schools without even knowing that the rest of the budget is going to be for any of the other things I have talked about. Are they going to be cut? Are we going to have less money for after school? Are we going to have less money for chapter 1? How much money are we going to have in the School Lunch Program this year? How much money will we have for Head Start? If I have to cut those or can't have as much as we ought to have, would we then take this \$2 billion and put it elsewhere?

This is simply not timely. It is not appropriate. I hope it is not a statement of the full measure of priority of our colleagues on the other side of the aisle. I hope it is not.

There are other colleagues waiting to speak. I have gone on longer than I had intended. I hope this year can be a year in which the Senate can find its way to a comprehensive, across-the-aisle dialog, to bring ourselves together in a spirit of compromise. So far the only compromise I have seen with respect to the so-called Straight A's plan and the approach of our friends has been on our side of the fence. It is my hope we can have that real dialog.

I look forward to it and thank the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, I am going to try to confine my remarks to the proposal before the Senate. I will make a couple of comments regarding my good colleague from Massachusetts.

First of all, I say to him, this \$7 routine is exceedingly misleading. Two or three of his colleagues have used that. If \$7 is all we are talking about, then, A, why get worked up about it? And, B, if \$7 per year is the only advantage out of this account, which is four times what the President proposed, then I guess the President's proposal was only worth \$2.25.

Mr. KERRY. Will the Senator yield for an answer?

Mr. COVERDELL. Surely.

Mr. KERRY. I said in my comments that the amount of money is really not the key. I said I throw away the \$7 as not particularly moving. But the \$7 comes from the Joint Tax Committee estimate.

Mr. COVERDELL. I have seen that. But my point is, if that is the case, it is worth four times the President's proposal.

Mr. KERRY. I don't agree with everything President Clinton does or has done.

Mr. COVERDELL. I understand. I will read you another comment, the remarks as prepared for delivery by Vice President AL GORE to the Minnesota Community Technical College, where he says:

Here is my idea: We should create new 401(k) accounts like the 401(k) plans that help you save for retirement, but these accounts will allow employers and employees to contribute up to \$2,500 for each working person to pay for college or job training expenses, money that you can save and withdraw tax free. You could use this account for yourself, your spouse, even your child's college tuition.

That is identical to the proposal that is before us.

Mr. KERRY. Mr. President, may I respond?

Mr. COVERDELL. Sure.

Mr. KERRY. Mr. President, let me underscore that distinction to my friend. The Vice President, No. 1, laid out the most comprehensive plan set forward by anybody running for President of the United States. He set forward a plan that included \$115 million for a trust fund over 10 years. He set forward a plan to attract principals, to deal with teachers' pay, and with standards. It was a broad-based plan, and the section that the Senator from Georgia refers to does not apply to private secondary and elementary schools. It is college and job training.

Historically—and I drew this distinction—the Congress of the United States has always drawn a distinction between the higher education structure and the secondary and elementary structure. The problems I cited are precisely the reason why you need to have

a broad-based approach before you throw any piecemeal legislation out there.

Mr. COVERDELL. Mr. President, let me address that as well because the Senator has made much of this today, as have others. This is, of course, a piece of legislation from the Finance Committee. It has been vetted three times before the Senate. It has been passed by the Senate with 59 votes. It is cosponsored by ROBERT TORRICELLI of New Jersey and about 10 other Democrats. So it is bipartisan with broad support. It in no way suggests that there won't be a full debate occurring on the issue when the reauthorization of the Elementary and Secondary Education Act comes before us, which will be probably spring because there is not consensus on that committee. I am not on that committee, and I don't know if the Senator is or not. This comes from the Finance Committee and it is one component of what can be done. It is tax policy. It is characterized as if some little piece is going to somehow corrupt or become a hurdle in front of the broader discussion that will come with this other legislation. I find that pretty difficult to comprehend, particularly in light of the fact of previous Senate actions on the legislation.

I think it unfair to characterize this as a piece of legislation designed for private schools and that it somehow avoids public schools. That is just not so. The same sources of information the Senator has been quoting would have us understand that the education savings account will primarily benefit public schools but not just public schools. Seventy percent of the families who open these accounts—and I might point this out; the Senator covered it, too. He doesn't consider this the broad base and neither do I. But it does affect 14 million families and 20 million children, which is right at half—5 million less than half—of the entire population—seventy percent of those families' children are in public schools; 30 percent are in private schools. The division of the money is 50/50.

In other words, half the money that this generates flows to public schools and half to private or, I assume, home. That is not insignificant. That is about \$12 billion that we don't have to appropriate. It is voluntarily brought forward, involving those families with their children and their needs. It is not appropriate to characterize that as a program designed for private schools. Will parents who have children in private schools use it? Yes, they will probably tend to use it more, which is why half the money goes there. I think, though, in terms of causing someone to change schools, there is an implication there will be no place for them to go. It is not meant to make people change.

Mr. KERRY. I appreciate that my friend from Georgia is fairminded, and we always engage in good dialog. I appreciate that. First, we are sent here to

make choices about priorities for the country.

Mr. COVERDELL. Right.

Mr. KERRY. Now, when I see chapter 1 unfunded, or I see urban centers where they don't have computers, and I see so many kids in so many parts of the country whose families can't afford any of the amenities that make a difference, I find it very hard as a matter of choice to suggest that even that 50 percent is appropriately spent.

Now, I am not arguing with the Senator. I am not suggesting to him or saying that some family in public school may not benefit from this. I understand some public schools have uniform codes and a parent may be able to go buy a portion of the uniform. I don't know how much \$7 a year is going to do. If you are doing it K through 12, that is the interest. The only benefit under the Finance Committee rule is the tax benefit of the tax-free interest savings. So you can withdraw the money you have put into the savings account, but all you are really getting the benefit on is the tax-free component. Say you put \$500 in there and you have to draw it out in 2 years at 6 percent, or 5 percent, which is what they are earning nowadays—these things aren't even marketable; none of the major houses are marketing them, so you are going to earn base interest on it and you are not going to get much money as a consequence of that. So when you have very few resources, I say to the Senator, what is the justification?

Mr. COVERDELL. The Senator makes my point. There is so little invested on our part to cause them to do so much. I am stunned that people would be concerned. For this type of investment, why would we not want to produce the \$12 billion in new resources that we don't have to appropriate? People do it on their own—not to mention the connection that occurs between the parent and the student.

Mr. KERRY. Mr. President, I say to my colleague—and he knows this full well—there are Members of the Senate who basically have been fighting for years to create sort of a full-fledged support system, through the Federal Government, for education and/or for schools outside the public school structure. That has been a great fight in the Senate.

What I said is it is not the \$7 that is critical here; it is the principle. If we adopt in the Senate a notion that we are going to now in the United States have a full-fledged support system for parochial schools and religious schools through the elementary and secondary level, that is new. Once we have made it \$7, you are going to come back—or someone is—and say we haven't given them enough; we have to give them \$500 because that is more meaningful. Of course, if we were willing to support either private or religious schools previously, what would stop us from giving them more money now? That is what this fight is about; it is not about

the \$7. Although, as a matter of choice, I don't see why it is we reward people who are already capable of sending their kids to these places and have made that choice versus the people who are having the hardest time making ends meet.

Mr. COVERDELL. Mr. President, 70 percent of all these funds go to families of middle income or lower income.

Mr. KERRY. As I have said, the real fight is the issue of this concept.

Mr. COVERDELL. I can accept it on those terms, but I don't believe the fact we have not taxed that account to be an appropriation of the U.S. Treasury in support of a private or parochial school. We have just not collected the tax; there has been no constitutional challenge or discussion about it. That just won't flow. If we have decided to grant accounts that people's own money goes into and have decided we are not going to tax the interest on it, there is no way in the world that anybody would find that that is a subsidy of parochial education.

Mr. KERRY. Mr. President, my friend knows full well that the famous teacher Stanley Surrey, I think at Harvard Law, coined the phrase "tax expenditure." We make choices in the Senate that if you forego a tax you expect to collect, it is an expenditure. Now, that is a well-known principle in terms of how we operate.

Mr. COVERDELL. It is also a fine line that does not in any way suggest we are making an appropriation. I accept the fact that you might argue, as Senator WELLSTONE did earlier, that it is money that wasn't sent to Washington and you prefer it be sent here so we can be involved with the distribution of it.

Mr. KERRY. Mr. President, I believe my friend will acknowledge, as he has already—I think he said that a majority of this benefit will go to families in private schools.

Mr. COVERDELL. No, I didn't. I said that 70 percent of the families are in public schools. Then I said the distribution would be 50-50. The reason for that is parents who have children in the private schools are paying higher costs. They are paying, of course, the taxes for the public schools as well, and will probably have an incentive to save more. I think that is probably so. I sort of think that while 70 percent are in public schools, the distribution of 50-50 will probably be the case.

Mr. KERRY. Mr. President, if I may again just quickly say the Joint Tax Committee tells us that they arrive at an assessment where under the legislation of the Senator from Georgia, 52 percent of the tax benefit will go to taxpayers with children in private schools.

Mr. COVERDELL. If the Senator is drawing the line of the 2-percent difference and somehow that makes the point—

Mr. KERRY. Fifty percent.

Mr. COVERDELL. I will accept that argument.

Mr. KERRY. For the purposes of this, let us say it is 50 percent. I don't understand the public policy rationale for 50 percent of this benefit that we are going to grant going to private schools when 90 percent of America's children are in public schools, and of that 90 percent, the vast majority are poorer than those 52 percent who are going to get the benefit. It just doesn't make sense.

Mr. COVERDELL. It makes sense to the majority of the Senate, and I hope it will be so again.

In that we are now waiting for the Senator from Oregon, if I might close this out.

Mr. KERRY. Mr. President, I thank my colleague for the dialog. It has been helpful. I always appreciate having it with him.

I thank the Chair.

Mr. COVERDELL. As I do.

Mr. President, this debate will continue tomorrow.

I want to reiterate that the tax savings account helps 14 million families and 20 million children. It provides for employer incentives to educate their employees. One million employees will benefit. It helps students who are in States with prepaid tuition plans because we do not tax them. That will be 1 million students who will benefit from the savings tuition provision. It adopts the proposal of Senator GRAHAM of Florida and Senator SESSIONS of Alabama on State tuition and on school construction.

Go across the face of education insofar as the Finance Committee is concerned. It deals with tax policy. We are not the education committee. We are making the Tax Code friendlier to States, communities, parents, employers, employees, and students to get a better education, 70 percent which will go to families of middle income of \$75,000 or less. It is the same means test the President used when he created the HOPE scholarship along with the Congress. The only thing we do is make it four times more powerful than the President's proposal.

As I said, I sort of reel from time to time when they try to make it insignificant, but then it becomes a huge debate. They contradict themselves. If this is only worth "\$7 a year" and is "insignificant," then the President's proposal is only worth \$2.25 because it is one-fourth the value of these accounts.

#### MORNING BUSINESS

Mr. COVERDELL. Mr. President, I ask unanimous consent there be a period for the transaction of morning business with Senators permitted to speak for up to 10 minutes each.

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

#### TRIBUTE TO MARIE FABRIZIO DICKINSON

Mr. WARNER. Mr. President, I rise today to recognize the distinguished



and exemplary career of Marie Fabrizio Dickinson, Chief Clerk of the Senate Armed Services Committee. Today, Marie achieves a notable and important career milestone: thirty years of continuous service with the Senate Committee on Armed Services.

"Far and away the best prize that life offers," Teddy Roosevelt once remarked, "is the chance to work hard at work worth doing." During the past thirty years, Marie has tirelessly devoted her professional pursuits to work we all know to be certainly worth doing: supporting the men and women of the Armed Forces.

Marie began her career in 1970 as the sole staff assistant for the Republican minority Committee staff. In 1987, Marie was promoted to Assistant Chief Clerk—serving eleven years in that assignment. When I became Chairman of the Committee in 1999, I was very fortunate to have Marie accept my request for her to serve as Chief Clerk of the Committee.

During the last year, Marie has excelled as Chief Clerk. The Armed Services Committee has undertaken many initiatives and issues in the 106th Congress—pay and benefits reform for our servicemembers, military operations in the Balkans, and an end to the decade-plus downward trend of defense spending. In each instance, at any hour of day, or night, under Marie's direction, Committee administrative operations have been flawless. The gains we have made in support of our servicemembers during the past year are due in no small part to the professional acumen and personal commitment of Marie Dickinson.

It is no small feat to attain the distinction achieved by Marie. Less than one percent of the employees of the Senate serving today have thirty or more years of service. Having supported five consecutive Chairmen prior to me—Senators Stennis, Goldwater, Tower, Nunn, and THURMOND—and seven staff directors of the Armed Services Committee, Marie is only surpassed in her duration of service with the Committee by the venerable Senator STROM THURMOND.

Mr. President, I invite you and our Senate colleagues to join me and offer our sincere appreciation to Marie Dickinson for her outstanding and distinguished thirty years of services. I do so with the hope that Marie will continue her outstanding service as Chief Clerk of the Committee on Armed Services for many more years.

Mr. LEVIN. Mr. President, today I am pleased to join our Chairman, Senator WARNER, in congratulating and thanking Marie Fabrizio Dickinson on the occasion of her thirtieth anniversary on the staff of the Committee on Armed Services. This is a remarkable milestone for Marie. The Armed Services Committee and the Senate are very fortunate to continue to be the beneficiaries of her tremendous dedication and devotion to duty. In our Committee's history, no other staff member

has ever served longer. But this tribute is about much more than the number of her years in service.

A native Washingtonian, Marie was initially appointed to the Committee as a clerical assistant by Senator John Stennis in 1970. In 1986, she was named the Committee's Assistant Chief Clerk by Senator Barry Goldwater and in 1999 Senator Warner promoted her to Chief Clerk. Whether managing the myriad of details associated with military construction projects, editing the Committee's SALT II hearing transcripts, or administering the complexities of thousands of military and civilian nominations, Marie has consistently given her best to our Committee and performed with excellence.

One of the true hallmarks of Marie Dickinson's service on the Committee has been her ability to achieve success by working with quiet yet steadfast determination. If you ever need a living reminder of the timeless virtue of letting one work's speak for itself, look no further than Marie Dickinson. Marie has earned the trust and respect of those around her not because of what she has said, but because of what she has been able to accomplish in her loyalty, unselfishness, and attention to detail.

Those who know Marie know that throughout her career on the Armed Services Committee she has demonstrated a strong commitment to maintaining the traditions of the Committee in general and in preserving the records of our Committee in particular. Many of us would certainly agree with these goals, but very few of us would be able to actually take the steps necessary day-in-and-day-out to safeguard the records that comprise the Committee's history. Marie's Herculean efforts to archive, research, compile and protect our Committee's record will insure that our Committee's important work is chronicled and documented for the historians of the future.

Marie Dickinson has dedicated her entire professional career to the work of the Armed Services Committee. It is very fitting that we take time today, on this her thirtieth anniversary, to pay tribute to and thank her for the significant and lasting contributions she has made to our work on the Committee and to the United States Senate. I hope, as I know Senator WARNER does, and all the other Committee Members and the staff do, that Marie will continue to serve with us for many more years.

#### TRIBUTE TO SENATOR DANIEL K. INOUE

Mr. HOLLINGS. Mr. President, in my over 33 years' experience as a Senator with over 30 years on Defense Appropriations, I have worked with a good eight to ten Chairmen of the Armed Services Committee and Defense Appropriations Subcommittee and, of course, their numerous counterparts from the House side. One constant

thread of dedication and stability in our national defense has been DANIEL INOUE from Hawaii. His tremendous sacrifice for the security of this nation was recognized with a Distinguished Service Cross. All of us engaged in World War II will tell you that the citation deserves Medal of Honor recognition, but it was not to be because he was a member of the Nisei fighters, the Japanese-American unit that had to fight the U.S. authorities first before it could fight the enemy. Now, in peacetime, Senator INOUE has been the stalwart for the strong defense of this nation.

This week, the Ambassador of Japan, Shunji Yanai, presented Senator INOUE with the Grand Cordon of the Order of the Rising Sun, one of the Japanese government's highest honors, citing in particular his work fostering good relations between the United States and Japan. I can think of no one more deserving of this honor. Senator INOUE has demonstrated the same courage, character and leadership here in Washington that he did as a soldier. I offer him my heartfelt congratulations on this distinguished recognition.

#### MILITARY HEALTH CARE IMPROVEMENT ACT OF 2000

Mr. KENNEDY. Mr. President, today, we begin a new effort to keep our promise of good health care for the nation's military retirees. We have an obligation to provide comprehensive health benefits to the men and women who put their lives on the line for our country. This bill is a solid start. The Military Health Care Improvement Act of 2000 will make a significant difference in the lives of our military retirees. Too often, today, those who have served our country with honor are left struggling to obtain and pay for health care in their retirement. That's not right.

The Act will extend existing medical demonstration programs to military retirees who are over the age of 65. It will also extend the Federal Employees Health Benefit Program Demonstration for Medicare-eligible beneficiaries, and it will enable the Secretary of Defense to expand the number of TRICARE Senior Prime sites.

The expansion of the National Mail Order Pharmacy Program will bring welcome relief to eligible beneficiaries, and the Pharmacy Pilot Program will reduce pharmacy enrollment fees and implement monthly or quarterly deductible payments. I hope that in addition, we will be able to expand this provision to include retail pharmacies as well.

The provisions for active duty family members are also an important aspect of this bill. Expanding the availability of TRICARE Prime Remote to military families will eliminate their co-payments and make the program more accessible and affordable to many more. Improvement of the health care services provided through TRICARE will

help address the concerns of many retirees regarding access, availability and scheduling of appointments, claims filing, processing and payment, and national enrollment.

This bill is an important first step toward achieving the goal we share, and I look forward to working closely with my colleagues on the Senate Armed Services Committee and in the Senate to enact it.

#### THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, February 22, 2000, the Federal debt stood at \$5,742,317,374,668.82 (Five trillion, seven hundred forty-two billion, three hundred seventeen million, three hundred seventy-four thousand, six hundred sixty-eight dollars and eighty-two cents).

One year ago, February 22, 1999, the Federal debt stood at \$5,617,212,000,000 (Five trillion, six hundred seventeen billion, two hundred twelve million).

Five years ago, February 22, 1995, the Federal debt stood at \$4,835,999,000,000 (Four trillion, eight hundred thirty-five billion, nine hundred ninety-nine million).

Ten years ago, February 22, 1990, the Federal debt stood at \$2,992,794,000,000 (Two trillion, nine hundred ninety-two billion, seven hundred ninety-four million).

Fifteen years ago, February 22, 1985, the Federal debt stood at \$1,695,818,000,000 (One trillion, six hundred ninety-five billion, eight hundred eighteen million) which reflects a debt increase of more than \$4 trillion—\$4,046,499,374,668.82 (Four trillion, forty-six billion, four hundred ninety-nine million, three hundred seventy-four thousand, six hundred sixty-eight dollars and eighty-two cents) during the past 15 years.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Thomas, one of his secretaries.

##### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MEASURES PLACED ON THE CALENDAR

The following bills were read a second time and placed on the calendar.

S. 2081. A bill entitled "Religious Liberty Protection Act of 2000."

H.R. 6. An act to amend the Internal Revenue Code of 1986 to reduce the marriage penalty by providing for adjustments to the

standard deduction, 15-percent rate bracket, and earned income credit and to repeal the reduction of the refundable tax credits.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-7605. A communication from the Chief Justice of the Supreme Court of the United States, transmitting the Report of the Proceedings of the Judicial Conference of the United States; to the Committee on the Judiciary.

EC-7606. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "March 2000 Applicable Federal Rules" (Rev. Rul. 2000-11), received February 22, 2000; to the Committee on Finance.

EC-7607. A communication from the President of the United States of America, transmitting, pursuant to law, the report of a safeguard action relative to the import of steel wire rod; to the Committee on Finance.

EC-7608. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, the 1998 annual report on Veterans' Employment in the Federal Government; to the Committee on Veterans' Affairs.

EC-7609. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of the texts and background statements of international agreements, other than treaties; to the Committee on Foreign Relations.

EC-7610. A communication from the Director, Defense Security Cooperation Agency transmitting, pursuant to law, a report containing an analysis and description of services performed by full-time USG employees during Fiscal Year 1999; to the Committee on Foreign Relations.

EC-7611. A communication from the Assistant Secretary for Management and Budget, Department of Health and Human Services, transmitting, pursuant to law, a report relative to its commercial activities inventory; to the Committee on Governmental Affairs.

EC-7612. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, a report relative to its commercial activities inventory; to the Committee on Governmental Affairs.

EC-7613. A communication from the Comptroller General of the United States, transmitting, pursuant to law, the report of the list of General Accounting Office reports for January 2000; to the Committee on Governmental Affairs.

EC-7614. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the Commission's report under the Government in the Sunshine Act for calendar year 1999; to the Committee on Governmental Affairs.

EC-7615. A communication from the Manager, Benefits Communications, Farm Credit Bank of Wichita, Kansas transmitting, pursuant to law, the annual report for the plan year 1998 and a copy of the public accountant's report for 1997 and 1998; to the Committee on Governmental Affairs.

EC-7616. A communication from the Benefits Manager, CoBank transmitting, pursuant to law, the annual report of the ACB Retirement Plan for 1998; to the Committee on Finance.

EC-7617. A communication from the Chairman of the U.S. Merit Systems Protection Board, transmitting, pursuant to law, a report entitled "Competing for Federal Jobs: Job Search Experiences of New Hires"; to the Committee on Governmental Affairs.

EC-7618. A communication from the Secretary of Defense, transmitting, the report of a retirement; to the Committee on Armed Services.

EC-7619. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, the annual report for fiscal year 1999 of the National Guard Youth Challenge Program; to the Committee on Armed Services.

EC-7620. A communication from the Principal Deputy Assistant Secretary, Department of Defense transmitting, pursuant to law, the annual National Guard and Reserve Component Equipment Report for fiscal year 2001; to the Committee on Armed Services.

EC-7621. A communication from the Deputy Chief, National Forest System, Department of Agriculture transmitting, pursuant to law, the report of rivers added to the National Wild and Scenic Rivers System by the Omnibus Oregon and Scenic Rivers Act of 1988; to the Committee on Energy and Natural Resources.

EC-7622. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "West Virginia Regulatory Program" (WV-077-FOR), received February 18, 2000; to the Committee on Energy and Natural Resources.

EC-7623. A communication from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Classified Information Systems Security Manual" (DOE M 471.2-2), received February 17, 2000; to the Committee on Energy and Natural Resources.

EC-7624. A communication from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Contractor Employee Protection Program" (RIN1901-AA78), received February 17, 2000; to the Committee on Energy and Natural Resources.

EC-7625. A communication from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Control and Accountability of Nuclear Materials" (DOE O 474.1 and DOE M 474.1-1), received February 17, 2000; to the Committee on Energy and Natural Resources.

EC-7626. A communication from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Classified Information Systems Security Manual" (DOE M 471.2-2), received February 17, 2000; to the Committee on Energy and Natural Resources.

EC-7627. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Furilazole; Time-Limited Pesticide Tolerance" (FRL #6490-3), received February 17, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7627. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Zinc Phosphide; Extension/Amendment of Tolerance for Emergency Exemptions" (FRL #6489-8), received February 17, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7628. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Acrylic Graft Copolymer, Polyester Block Copolymer and Polyester Random Copolymer; Tolerance Exemption" (FRL #6490-7), received February 17, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7629. A communication from the Acting Administrator, Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Interim Rule: Amendments to Regulations Governing the Peanut Poundage Quota and Price Support Programs" (RIN0560-AP61), received February 17, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7630. A communication from the Congressional Review Coordinator, Regulatory Analysis and Development, Policy and Program Development, Animal and Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Ports Designated for Exportation of Horses; Dayton, OH" (Docket #99-102-1), received February 17, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7631. A communication from the Congressional Review Coordinator, Regulatory Analysis and Development, Policy and Program Development, Animal and Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "National Poultry Improvement Plan and Auxiliary Provisions" (Docket #98-096-2), received February 17, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7632. A communication from the Congressional Review Coordinator, Regulatory Analysis and Development, Policy and Program Development, Animal and Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Melon Fruit Fly" (Docket #99-097-1), received February 17, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7633. A communication from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture transmitting, pursuant to law, the report of a rule entitled "Onions Grown in South Texas: Change in Container Requirements" (Docket Number FV00-959-2 IFR), received February 17, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7634. A communication from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture transmitting, pursuant to law, the report of a rule entitled "Almonds Grown in California; Revisions to Requirements Regarding Credit for Promotion and Advertising Activities" (Docket Number FV99-981-4 FIR), received February 17, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7635. A communication from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture transmitting, pursuant to law, the report of a rule entitled "Olives Grown in California; Revisions to Handling Requirements" (Docket Number FV99-932-3 FR), received February 17, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7636. A communication from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture transmitting, pursuant to law, the report of a rule entitled

"Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Revision of the Salable Quantity and Allotment Percentage for Class 3 (Native) Spearmint Oil for the 1999-2000 Marketing Year" (Docket Number FV00-985-3 IFR), received February 17, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7637. A communication from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture transmitting, pursuant to law, the report of a rule entitled "Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Salable Quantities and Allotment Percentages for the 2000-2001 Marketing Year" (Docket Number FV00-959-2 IFR), received February 14, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7638. A communication from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture transmitting, pursuant to law, the report of a rule entitled "Nectarines and Peaches Grown in California; Revision of Reporting Requirements" (Docket Number FV99-916-3 FR), received February 14, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7639. A communication from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture transmitting, pursuant to law, the report of a rule entitled "Vidalia Onions Grown in Georgia; Increased Assessment Rate" (Docket Number FV00-955-1 IFR), received February 14, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7640. A communication from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture transmitting, pursuant to law, the report of a rule entitled "Oranges, Grapefruit, Tangerines, and tangelos Grown in Florida and Imported Grapefruit; Relaxation of the Minimum Size Requirement for Red Seedless Grapefruit" (Docket Number FV99-905-6 FIR), received February 14, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-409. A joint resolution adopted by the Legislature of the State of Idaho relative to Federal legislative procedures; to the Committee on Governmental Affairs.

#### SENATE JOINT MEMORIAL NO. 102

Whereas, the federal administration under President Clinton is continually usurping the powers reserved for the Congress of the United States; and

Whereas, the Clinton administration is, by administrative decree, making law and thereby bypassing both the advise and consent of the Congress; and

Whereas, these administrative laws are being thrust upon the citizens of Idaho and such laws are vigorously enforced by administration bureaucrats.

Now, Therefore, be it resolved by the members of the First Regular Session of the Fifty-fifth Idaho Legislature, the Senate and the House of Representatives concurring therein, That we hereby urgently and earnestly appeal to the Congress of the United States to reclaim its constitutional authority and responsibility to be the law-making body of these United States of America.

It is further resolved, That we respectfully request the Congress to implement proce-

dures similar to the procedure employed by the state of Idaho which requires all rules proposed by executive agencies to be submitted to the Legislature of the State of Idaho for final approval before such administrative law may become effective.

Be it further resolved, That we urge the Congress to limit the scope of executive orders by subjecting such orders to congressional approval before they may become effective.

Be it further resolved, That the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and to the congressional delegation representing the State of Idaho in the Congress of the United States.

POM-410. A concurrent resolution adopted by the Legislature of the State of Idaho relative to Constitutional Conventions; to the Committee on the Judiciary.

#### SENATE CONCURRENT RESOLUTION NO. 129

Whereas, the Legislature of the State of Idaho, acting with the best of intentions, has, at various times, and during various sessions, previously made applications to the Congress of the United States of America to call one or more conventions to propose either a single amendment concerning a specific subject or to call a general convention to propose an unspecified and unlimited number of amendments to the United States Constitution, pursuant to the provisions of Article V thereof; and

Whereas, former Justice of the United States of America Warren E. Burger, former Associate Justice of the United States Supreme Court Arthur J. Goldberg and other leading constitutional scholars agree that such a convention may propose sweeping changes to the Constitution, any limitations or restrictions purportedly imposed by the states in applying for such a convention or conventions to the contrary notwithstanding, thereby creating an imminent peril to the well-established rights of the citizens and the duties of various levels of government; and

Whereas, the Constitution of the United States of America has been amended many times in the history of this nation and may be amended many more times; without the need to resort to a constitutional convention, and has been interpreted for more than two hundred years and has been found to be a sound document which protects the lives and liberties of the citizens; and

Whereas, there is no need for, rather, there is great danger in, a new Constitution or in opening the Constitution to sweeping changes, the adoption of which would only create legal chaos in this nation and only begin the process of another two centuries of litigation over its meaning and interpretation.

Now, therefore, be it resolved by the members of the First Regular Session of the Fifty-fifth Idaho Legislature, the Senate and the House of Representatives concurring therein, That the Legislature does hereby repeal, rescind, cancel, nullify, and supersede to the same effect as if they had never been passed, any and all extant applications by the Legislature of the State of Idaho to the Congress of the United States of America to call a convention to propose amendments to the Constitution of the United States of America, pursuant to the terms of Article V thereof, regardless of when or by which session or sessions of the Idaho Legislature such applications were made and regardless of whether such applications were for a limited convention to propose one or more amendments regarding one or more specific subjects and purposes or for a general convention to propose an unlimited

number of amendments upon an unlimited number of subjects.

*Be it further resolved*, That the following resolutions and memorials, be, and the same are hereby specifically repealed, rescinded, canceled, nullified and superseded: S.J.M. 2, 1901 Session of the Legislature; S.J.R. 2, 1927 Session of the Legislature; H.C.R. 6, 1957 Session of the Legislature; S.J.M. 9, 1963 Session of the Legislature; H.J.M. 7, 1963 Session of the Legislature; S.J.M. 1, 1965 Session of the Legislature; H.C.R. 7, 1979 Session of the Legislature; and S.C.R. 132, 1980 Session of the Legislature.

*Be it further resolved*, That the Legislature of the State of Idaho urges the Legislatures of each and every state which has applied to Congress to call a convention for either a general or a limited constitutional convention, to repeal and rescind such applications.

*Be it further resolved*, That notwithstanding any other provision of this Resolution, the Legislature hereby reaffirms its request to the Congress of the United States of America that the Congress of the United States propose an amendment to the Constitution of the United States of America requiring, in the absence of a national emergency, that the total of all federal outlays for any fiscal year shall not exceed the total of all federal receipts for that fiscal year, which amendment may also limit the power of Congress to increase federal taxes, and remit it to the several states for ratification.

*Be it further resolved*, That the Secretary of the Senate be, and she is hereby authorized and directed to send copies of this Resolution to the Secretary of State of each state in the Union, to the presiding officers of both houses of the Legislatures of each state in the Union, to the President of the United States Senate, to the Speaker of the United States House of Representatives, to the members of the Congress of the United States representing the State and people of Idaho, and the administrator of General Services, Washington, DC.

POM-411. A resolution adopted by the Board of Chosen Freeholders, County of Ocean, New Jersey relative to ocean dumping off the coast of Sandy Hook, Monmouth County, New Jersey; to the Committee on Environment and Public Works.

POM-412. A resolution adopted by the House of the Legislature of the Commonwealth of Pennsylvania relative to increases in fuel prices; to the Committee on Energy and Natural Resources.

#### HOUSE RESOLUTION NO. 352

Whereas, The price of a barrel of oil is \$30, up from just \$11 per barrel in December 1998; and

Whereas, According to the Consumer Price Index, gasoline prices rose by 76.4% in 1999 and by 8.5% in December 1999 alone; and

Whereas, Gasoline pump prices at \$1.29 per gallon are at their highest levels in ten years; and

Whereas, Based on information from the Energy Information Administration, diesel fuel prices in the central Atlantic region averaged more than \$1.38 per gallon the week of January 17, 2000, and heating oil prices averaged more than \$1.10 per gallon in Pennsylvania for the week ending January 17, 2000; and

Whereas, These record increases in oil prices, in some cases surpassing those existing during the Persian Gulf War, will have a direct, serious and substantial impact on both the Pennsylvania and national economies; and

Whereas, These oil price hikes will result in potentially devastating economic consequences for innumerable people employed in the transportation industry in Pennsyl-

vania, including, among others, truckers, service station owners, diesel truck stop and fleet center owners, heating oil retailers and the airlines; and

Whereas, As a result, hundreds of thousands of homeowners will see vast increase in their home heating costs; therefore be it

*Resolved*, That the House of Representatives of the Commonwealth of Pennsylvania memorialize the Congress of the United States to call upon its investigative arm, the General Accounting Office, to conduct a comprehensive investigation of whether the recent substantial increases in fuel prices are the result of legitimate market fluctuations or, at least in part, the result of collusion on antitrust violations among and between oil companies; and be it further

*Resolved*, That the Department of Justice of the United States is urged to immediately commence a comprehensive investigation of whether the recent hike in fuel prices is the result of legitimate market fluctuations or illegal collaboration and anti-trust law violations occurring among and between oil companies; and be it further

*Resolved*, That there be an immediate increase in LIHEAP eligibility requirements from 110% of the poverty level to 135% of the poverty level and for the Commonwealth to provide for a \$50 increase in crisis funding from \$250 to \$300 per household; and be it further

*Resolved*, That copies of this resolution be transmitted to the President of the United States, the Secretary of Energy, the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM-413. A resolution adopted by the House of the Legislature of the Commonwealth of Pennsylvania relative to the released of funding for the Low-Income Home Energy Assistance Program, release of the United States Strategic petroleum reserves additional oil reserves from non-OPEC, and to negotiate release of additional reserves from non-OPEC countries or negotiate with OPEC on additional supplies; to the Committee on Energy and Natural Resources.

#### HOUSE RESOLUTION NO. 344

Whereas, Fuel, in particular diesel fuel, and home heating oil prices have skyrocketed to record highs in the first weeks of 2000, threatening this Commonwealth's citizens' well-being and safety to crisis proportions; and

Whereas, Retail prices of home heating fuel and diesel fuel in some areas of this Commonwealth have reached \$2 per gallon, and level rack prices of diesel fuel are 106% higher than they were in the first week of February 1999; and

Whereas, The impact of escalating oil prices on an industry that is operating on narrow profit margins is being compounded by driver shortages and other increased costs; and

Whereas, These increases dramatically affect prices for essential utility and municipal services, and increases in transportation costs threaten jobs and could cause major disruption of vital supplies and other goods and services; and

Whereas, Home heating oil supplies are extremely tight, particularly in the Mid-Atlantic and the Northeast, and weather forecasts call for continued below-normal temperatures; and

Whereas, Refineries in Pennsylvania and other states must produce more home heating fuel, which may cause shortages of other oil products such as gasoline, kerosene and undyed diesel fuel, thereby driving up prices accordingly; and

Whereas, the Organization of the Petroleum Exporting Countries (OPEC) has indi-

cated its desire to extend existing output cuts amounting to over 4 million barrels per day, resulting in nearly triple prices in less than one year, devastation to world economic growth and inflation; and

Whereas, According to the International Energy Agency, global oil supplies could be as much as 3 million barrels per day below demand in the first quarter of 2000, and as much as 1.5 million barrels per day below requirements in the second quarter; and

Whereas, A mid-January snowstorm, which occurred in the northeast region of the United States, triggered even faster price increases in Pennsylvania, resulting in United States light crude oil selling just 4¢ below the \$30 per barrel mark; therefore be it

*Resolved*, That the House of Representatives of the Commonwealth of Pennsylvania urge the President of the United States and the Secretary of Energy to take immediate action to release emergency funding to the State for the Low Income Home Energy Assistance Program (LIHEAP) and to release the United States strategic petroleum reserves, negotiate release of additional oil reserves from non-OPEC countries or negotiate with OPEC on additional supplies; and be it further

*Resolved*, That copies of this resolution be sent to the President of the United States, the Secretary of Energy, the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM-414. A resolution adopted by the Senate of the Legislature of the State of Michigan relative to federally funded research using stem cells harvested from human embryos; to the Committee on Health, Education, Labor, and Pensions.

#### SENATE RESOLUTION NO. 119

Whereas, At the start of December 1999, the National Institutes of Health (NIH) published proposed guidelines for federally funded research projects using stem cells harvested from human embryos. The NIH is seeking public comment on the guidelines; and

Whereas, In 1996, Congress prohibited federally funded research in which human embryos are harmed or destroyed; and

Whereas, Michigan is a state with a long legal and ethical tradition of respecting life from its earliest stages. Michigan law prohibits any research that destroys human embryos. Michigan has also taken the strong step of becoming the only state to prohibit cloning to create human embryos for research. The proposed NIH guidelines would provide for actions that violate our state law and are criminal activity; and

Whereas, Standards of medical ethics historically have rejected justifying research in the name of medical progress when the research requires harming or destroying innocent human life; and

Whereas, Numerous avenues for developing new medical treatments from stem cells that do not require the destruction of human embryos hold great clinical promise; now, therefore, be it

*Resolved by the Senate*, That we strongly oppose the proposed guidelines of the National Institutes of Health on federally funded research using stem cells destructively harvested from human embryos and call on the NIH to withdraw the guidelines and redraft them to comply with federal law prohibiting NIH involvement in research involving the destruction of human embryos; and be it further

*Resolved*, That we urge the NIH to direct funding of stem cell research to projects that do not use stem cells destructively harvested from human embryos; and be it further

*Resolved*, That copies of this resolution be transmitted to the National Institutes of

Health, the Secretary of the United States Department of Health and Human Services, the President of the United States Senate, the Speaker of the House of Representatives, the members of the Michigan congressional delegation, and the President of the United States.

POM-415. A resolution adopted by the House of the General Assembly of the State of Indiana relative to reauthorization of the Ryan White CARE Act; to the Committee on Health, Education, Labor, and Pensions.

#### HOUSE RESOLUTION No. 14

Whereas, In Indiana as of January 1, 2000, more than 10,000 cases of the expanding epidemic known as AIDS—Acquired Immune Deficiency Syndrome—have been reported;

Whereas, The state of Indiana created a division of HIV/STD within the state department of health to proactively address issues relating to HIV/AIDS and which now directly administers the expenditure of federal and state funds to combat the disease;

Whereas, Due to advancements in pharmaceutical therapies and an increasing focus on early intervention and treatment, the number of individuals living with HIV has grown significantly;

Whereas, For many, the progression from HIV to an AIDS diagnosis has slowed considerably as a result of these therapies;

Whereas, It is estimated that more than 6,000 residents of Indiana are currently living with HIV;

Whereas, It is estimated that an additional 1,300, or 21 percent, of Hoosiers with HIV are unaware of their condition, and hundreds more have been diagnosed with HIV but remain untreated;

Whereas, It is estimated by the Centers for Disease Control and Prevention that there are 40,000 new HIV infections in the United States each year;

Whereas, HIV/AIDS in Indiana disproportionately impacts communities of color, gay and bisexual men, women, and economically depressed and other underserved communities;

Whereas, In 1999, the rate of HIV disease among whites was 7 per 100,000, while the rate among Hispanics was 19.3 per 100,000, and the rate among African-Americans was 44 per 100,000;

Whereas, In 1999, the rate of HIV disease among white males was 13 per 100,000, while the rate among Hispanic males was 29.9 per 100,000, and the rate among African-American males was 59.8 per 100,000;

Whereas, In 1999, the rate of HIV disease among white females was 1.3 per 100,000 while the rate among Hispanic females was 8.4 per 100,000, and the rate among African-American females was 29.8 per 100,000;

Whereas, The rate among African-American females more than doubled compared to the rate among white females from 1998 to 1999;

Whereas, As many as 16 percent of new HIV infections occur in people under age 25; one in eight HIV infections occurs in people under age 22;

Whereas, Young adults ages 20–29 represent 20 percent of reported AIDS cases but represent 38 percent of newer cases of HIV infection;

Whereas, Increasingly, some individuals have a dual diagnosis: these individuals have been diagnosed with HIV and have also been diagnosed with substances abuse or mental illness, or both;

Whereas, Substance abuse is a factor in well over 50 percent of HIV infections in some United States cities;

Whereas, Indiana looks to the federal government to assist the state in meeting the expanding health care and social service needs of people living with HIV;

Whereas, The Ryan White Comprehensive AIDS Resources Emergency (CARE) Act was first adopted by Congress in 1990;

Whereas, The Ryan White CARE Act expires September 30, 2000;

Whereas, Since its inception, the Ryan White CARE Act has ensured the delivery of vital medical care, treatment, and essential support services to thousands of Hoosiers, including medical examinations, laboratory procedures and evaluations, pharmaceuticals, dental care, case management, transportation, housing, legal assistance, benefits education and assistance, treatment education and adherence, and mental health counseling;

Whereas, In more recent years, the state has developed the Health Insurance Assistance Program (HIAP) using a portion of Ryan White CARE Act dollars to purchase comprehensive health insurance policies for hundreds of Hoosiers through the Indiana Comprehensive Health Insurance Association (ICHIA), Indiana's high risk insurance pool, at roughly one-half of the cost of providing medical and pharmaceutical services under the state's Early Intervention Program (EIP) and AIDS Drug Assistance Program (ADAP);

Whereas, Under federal law, the Ryan White CARE Act is designated as the provider of last resort; therefore, it is recognized as the critical safety net program for low income, uninsured or underinsured individuals;

Whereas, The federal budget for fiscal year 2000 contains increased funding for the Ryan White CARE Act and Indiana is expected to receive \$7,813,713 beginning April 1, 2000;

Whereas, Funding under Title II of the Ray White CARE Act pays for care, treatment, and social services, over 80 percent of which are for life extending and life saving pharmaceuticals under the state's AIDS Drug Assistance Program (ADAP), and for comprehensive health insurance policies under the state's Health Insurance Assistance Program (HIAP);

Whereas, Title III of the Ryan White CARE Act provides funding to public and private nonprofit entities in Indiana for outpatient early intervention and primary care services;

Whereas, The goal of the Ryan White CARE Act Special Projects of National Significance (SPNS) Program (Part F) is to advance knowledge about the care and treatment of persons living with HIV/AIDS by providing time limited grants to assess models for delivering health and support services; SPNS projects have supported the development of innovative service models for HIV care to provide legal, health, and social services to communities of color, youth, hard to reach populations, and those with dual diagnoses in Indiana; and

Whereas, The Midwest AIDS Training and Education Centers (MATEC) is funded as part of Part F of the Ryan White CARE Act; in Indiana, MATEC trains clinical health care providers, provides consultation and technical assistance, and disseminates current information for the effective management of HIV disease; Therefore,

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:*

Section 1. That the Indiana General Assembly affirms its support of the Ryan White CARE Act and urges the Congress of the United States to expeditiously reauthorize the Act in order to ensure that the expanding medical care and support service needs of the individuals living with HIV are met.

Section 2. That the Principal Clerk of the House of Representatives transmit copies of this resolution to the President and Vice President of the United States, the Senate Majority and Minority Leaders, the Speaker of the House of Representatives and the House Minority Leader, the Chairpersons

and Ranking Minority Members of the Senate Health, Education, Labor and Pensions, Appropriations, and Budget Committees, the Chairpersons and Ranking Minority Members of the House Commerce, Appropriations, and Budget Committees, and to the members of the Indiana Congressional delegation.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and second time by unanimous consent, and referred as indicated:

By Mr. WARNER (for himself, Mr. LOTT, Mr. LEVIN, Mr. DASCHLE, Mr. HUTCHINSON, Mr. CLELAND, Mr. THURMOND, Mr. KENNEDY, Mr. INHOFE, Mr. SANTORUM, Ms. SNOWE, Mr. ROBERTS, Mr. ALLARD, Mrs. HUTCHISON, Mr. LIEBERMAN, Ms. LANDRIEU, Mr. REED, Mr. CRAPO, Mr. INOUE, Mrs. LINCOLN, and Mr. KERRY):

S. 2087. A bill to amend title 10, United States Code, to improve access to benefits under the TRICARE program; to extend and improve certain demonstration programs under the Defense Health Program; and for other purposes; to the Committee on Armed Services.

By Mr. CLELAND:

S. 2088. A bill to amend the Clean Air Act and titles 23 and 49, United States Code, to provide for continued authorization of funding of transportation projects after a lapse in transportation conformity; to the Committee on Environment and Public Works.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WARNER (for himself, Mr. LOTT, Mr. LEVIN, Mr. DASCHLE, Mr. HUTCHINSON, Mr. CLELAND, Mr. THURMOND, Mr. KENNEDY, Mr. INHOFE, Mr. SANTORUM, Ms. SNOWE, Mr. ROBERTS, Mr. ALLARD, Mrs. HUTCHISON, Mr. LIEBERMAN, Ms. LANDRIEU, Mr. REED, Mr. CRAPO, Mr. INOUE, Mrs. LINCOLN, and Mr. KERRY):

S. 2087. A bill to amend title 10, United States Code, to improve access to benefits under the TRICARE program; to extend and improve certain demonstration programs under the Defense Health Program; and for other purposes; to the Committee on Armed Services.

#### THE MILITARY HEALTH CARE IMPROVEMENTS ACT OF 2000

Mr. WARNER. Mr. President, I am introducing this bill with the complete support and, indeed, the leadership of our distinguished majority leader, the Senator from Mississippi, Mr. LOTT.

The Senate will recall that Senator LOTT was one of the principal persons who enabled the pay and other benefits bill that was passed by the Senate, and indeed adopted by the President, to be introduced last year. He has exhibited leadership on this subject throughout. He is a former member of our committee, a very valued member. He has kept quite active on matters relating to not only personnel but the whole aspect of our national defense. I pay a special tribute to him and also to the

other members of our committee. Indeed, it is a bipartisan effort at this time in every respect to present to the Senate this piece of legislation.

I see the distinguished chairman of the Personnel Subcommittee of the Senate Armed Services Committee who will follow me in addressing this issue.

Mr. President, I will be chairing a committee meeting of the Armed Services Committee on the subjects of Kosovo and China, two very troublesome situations in the world today, so I am briefly going to make a few statements and then ask unanimous consent the remainder of my statement be printed in the RECORD.

I rise to introduce a very critical piece of legislation entitled "The Military Medical Improvement Act of 2000." This legislation represents an important and much needed first step. I wish to carefully underline this is a first step. It is a beginning in addressing the many needed requirements to fulfill the commitments of the United States of America through the years—beginning in World War II—to the men and women who have proudly worn the uniform of our Armed Forces. It relates, of course, to the military medical care system, which serves not only those on active duty but their dependents and, indeed, those who have retired.

I am particularly privileged to have had the opportunity to serve with, and to continue to work on behalf of, the men and women of the Armed Forces for over a half century. I was privileged to have brief tours of active duty in World War II and Korea. Indeed, I myself was a beneficiary of this care system. I did not remain in service long enough to get the entitlements that come with retirement, but nevertheless I know firsthand the value and superb medical treatment that is offered to the men and women of the Armed Forces.

What we are trying to ensure is that the same treatment and care is spread throughout the system. A particular part of this legislation is to go beyond the President's request and includes laying a larger foundation, a larger beginning series of steps, for those in the retired community.

All of us, when we proudly raised our hand and took the oath of office as military persons, were given certain assurances that we would be cared for not only while on active duty but for those who went on in a career—a career, I stress—type of situation, that they would get that care along with their families for the balance of their lives. That is the important thing that I address today.

These men and women depend, at various times in our Nation's history, on the Congress. I repeat that—not necessarily criticism to the Commander in Chief, the President—it is not a political observation; it is simply a fact that the Congress, at various times in our history, has had to step forward on its own initiative to provide

the fulfillment of the commitments that have been made to the men and women of the Armed Forces.

This is one of those instances. The President put forth in his package those measures which he believed began to address this problem. Now we come along, as a coequal branch of this Government, and lay before first the Senate and, indeed, the House will soon take it up similarly, our own proposals as to how to add to the President's package so as to, in particular, have a bigger foundation, a greater beginning, to care for those men and women of the Armed Forces, particularly in their period of retirement.

Mr. President, as I said, I rise today to introduce a very critical piece of legislation, the Military Medical Improvement Act of 2000. This legislation represents an important and much needed first step—a beginning—in addressing the many complaints and concerns with the military medical care system.

I am particularly privileged to have had the opportunity to serve with, and to continue to work on behalf of, the men and women of the armed forces for over a half century. These men and women depend, at various times in our Nation's history, on the Congress to keep the commitments that were made when they took the oath of office to serve their nation. In most cases our nation committed to provide health care—for life—for military members, their families, and retirees and their families.

Quality military health care has been a lifelong priority for me. I was dependent on the military health care system with brief tours as an active duty sailor and U.S. Marine, and later, responsible for its oversight as Secretary of the Navy. Today, I, along with the Majority Leader, Senator LOTT, Senators DASCHLE, LEVIN, as well as others, propose legislation to meet our commitment to the brave men and women who have so honorably served their country, through a full career and those now serving, by taking initial steps to fulfill the obligation to provide them with quality health care.

Last year, the Congress adopted significant enhancements to pay and benefits for our military members and their families. Already, we are seeing the positive impact of last year's legislative actions on recruiting and retention.

We must not stop there. Health care remains to be addressed and is a significant component of our military benefit package, as well as a commitment our Nation made to our service members and their families.

Meeting our health care promise to our service members and their families is not only a commitment and a moral obligation but it is also in our interest. Today it is a key factor in recruiting and retention. Delivery of quality health care and the assurance that the government meets its obligations are key factors in the morale and retention of our troops.

I would like to acknowledge the efforts of Secretary Cohen, Chairman Shelton, and the Joint Chiefs in highlighting the many problems in meeting the health care commitment to our military retirees and implementing a user-friendly medical program for all. The legislation I am introducing today includes the initiatives for active duty family members included in the President's budget request for fiscal year 2001. However, these initiatives do not go far enough. The President's request stops short in addressing any initiatives for our military retirees. Military retiree healthcare needs cannot wait longer.

I am well aware of the promises of lifetime health care made to those service members with whom I served. There is ample evidence that when young men and women joined the Armed Forces, they were promised health care for themselves and their families, for the rest of their lives in return for career commitments. Often this was in writing. Now, upon reaching age 65, they are finding that this commitment is often not fulfilled.

My desire is to return a sense of fairness to the military health care system by providing beneficiaries, including Medicare-eligible military retirees, access to health care. Under the current system, military retirees lose entitlement to military medical care at age 65 and must rely on Medicare for their healthcare needs.

In addition, base closure and realignment actions have had a significant impact on both active duty members and retirees by reducing the medical infrastructure of our Armed Forces. Our military's hospital network has decreased by approximately 30 percent since the mid-eighties, while the military beneficiary population has grown and aged.

Those who have so honorably served their country believed they could depend on health care provided by local base hospitals. The Department of Defense capacity has become limited. We must find other ways to meet our health care commitment.

For our active duty members and their families, implementation of TRICARE, the Department of Defense's managed care program, has created its own set of challenges for the Department of Defense. As General Shelton stated before the Senate Armed Services Committee on February 8, "the program is not user friendly" and "we need to get it right and I know we will".

The first section of the bill I am introducing today provides for health care delivery to the over-65, Medicare eligible retired military population. Over the past 2 years, Congress directed implementation of several demonstration programs, for over-65 military retirees, including Medicare subvention, the Federal Employee Health Benefits Program, and a Medicare insurance supplement or "medi-gap" type policy.



One of these programs is due to expire this year, some have just started, and other are due to start this spring. This legislation extends the demonstration programs to allow for continuity of care and assessment by the Department of Defense and the Congress to determine the most appropriate long term health care solutions for these beneficiaries.

In addition, the bill allows for the expansion of the "Medicare subvention" or TRICARE Senior Prime Program to major medical centers throughout the country, where the Department of Defense is reimbursed for care provided to Medicare eligible beneficiaries through agreement between the Secretary of Defense and Health Care Financing Administration. This authority will permit TRICARE Senior Prime to grow in these areas in which the program appears to be more promising.

Additionally, due to the low response to the Federal Employees Health Benefit Program demonstration so far, the Secretary of Defense will be authorized to expand the number of sites at which this option is offered. We want to allow a full and open evaluation of this program.

The second section of this bill recognizes and meets a major healthcare need or our older military retirees by providing a pharmacy benefit, which Medicare does not provide. The legislation expands the Department of Defense's mail order program to allow participation by all beneficiaries, including the over 65 population. Military retirees over the age of 65 would be asked to pay a modest deductible of \$150 per year to participate in this new benefit. This responds to their urgent need for pharmaceuticals for our retirees—especially for those suffering from chronic long-term conditions such as diabetes and heart disease.

This bill recognizes the need to quickly implement improvements to the Department of Defense's managed care program, TRICARE, especially for active duty personnel and their family members. Chairman Shelton, and the Service Chiefs, have been extremely vocal in his desire to create equity in the TRICARE program for active duty personnel and their families. The Department has recognized that improvements in this area are crucial to recruiting and retention and have included two provisions in the President's budget request.

Those provisions which are incorporated in this bill, include expanding the TRICARE Prime Remote benefit to family members of those active duty personnel stationed in remote locations and elimination of co-pays for TRICARE Prime family member who use care outside of the military medical facilities.

Defense Authorization Acts over the past several years have included various legislative direction pertaining to improving access, availability and scheduling of appointments, claims filing and payment, and a single nation-

wide enrollment program. This bill reinforces the previous actions of the Congress and requires the Secretary of Defense to accelerate implementation of these improvements to the TRICARE program by October 2001.

In this time of decreasing resources, increasing costs and increasing demand for health care services, cooperation among the federal agencies is critical. The Department of Defense and the Department of Veterans Affairs have a long standing, cooperative, and productive relationship. This legislation authorizes additional initiatives between DOD and the VA in the area of patient safety, reducing medical errors and pharmaceutical safety.

Finally, much discussion has taken place about how to finance the military health care program over the long term. Specifically, the Joint Chiefs have suggested the accrual financing of military retiree health care might be the most appropriate option. This legislation directs the Department of Defense to conduct two studies to assess the feasibility and desirability of financing the military health care program for military retirees on an accrual basis.

Our men and women in uniform have answered the call of their country without hesitation or equivocation. Commitments were made to them in return for their service. We must fulfill those commitments. This legislation begins, I repeat begins, the process of satisfying the health care needs of all beneficiaries in a more comprehensive, uniform and fair manner. I urge my colleagues to support this legislation.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. HUTCHINSON. Mr. President, I commend Chairman WARNER, the distinguished Senator from Virginia, for his outstanding leadership on this critically important issue. I am glad to join the majority leader, along with Chairman WARNER, and Senators LEVIN and CLELAND, in the introduction of this legislation.

Mr. WARNER. Mr. President, I thank my colleague.

I am confident we will have a majority of the Senate eventually as cosponsors on this legislation. Indeed, there are other Senators who may have ideas of their own, so we will work this piece of legislation. It may be passed as a freestanding bill. It may well be that this legislation will be incorporated in the annual authorization. That is a decision that the distinguished majority leader, myself, and others will make, together with the chairman of the Personnel Subcommittee in the course of the coming months.

I thank the Senator.

Mr. HUTCHINSON. It is, indeed, encouraging that this issue has been given such a high priority by the leadership of the Senate and that we have a bill—whether it passes freestanding or whether it is incorporated in the authorization bill—that is eminently doable this year. I think that is one of

the hallmarks. There are others that have grander schemes of what can be done, but this is very achievable this year.

Mr. WARNER. Mr. President, will the Senator yield?

Mr. HUTCHINSON. Yes.

Mr. WARNER. I am not certain that the Senator mentioned Senator DASCHLE as a cosponsor.

Mr. HUTCHINSON. I think that underscores, once again, the bipartisan nature of this legislation. I appreciate the Senator pointing out that omission.

Like the rest of our country's health care system, the military health care delivery system is in great need of reform. Over the years, I have met with and heard from countless veterans, military retirees, and their families, who have informed me of the many and varied problems of every aspect of the military medical care system—including access to proper care, dissatisfaction with the current TriCare program, loss of coverage at age 65 when they become eligible for Medicare, and, especially, availability of needed pharmaceutical drugs.

Last month, in fact, I had the privilege of leading a congressional delegation overseas to visit U.S. service men and women serving in Japan and South Korea. The most common complaints I heard, aside from the high OPTEMPO that keeps families apart, were complaints about the military health care system and how it treats dependents. Too many had trouble scheduling appointments for dependents, and too many had trouble being reimbursed for the cost of care provided to their loved ones.

This is unacceptable. The men and women who choose to wear America's uniform have too many other important things to worry about than dependable health care for themselves and their families. Millions of Americans made the sacrifice to defend our country with the understanding that health care would be available to them upon retirement if they served at least 20 years. Unfortunately, for too many military retirees this commitment has simply not been honored.

Since the establishment of CHAMPUS, and its successor, TriCare, we have seen that the idea of space-available health care at military treatment facilities for military retirees is simply not adequate.

With base closures, military downsizing, and reduced services at military treatment facilities, it is nearly impossible for military retirees to access quality health care without having to travel hundreds of miles.

It should come as no surprise that problems with military medicine are often cited by troops as a key reason for leaving the force. In fact, a GAO study found that access to medical and dental care in retirement was the No. 5 career dissatisfier among active-duty officers in retention-critical specialties.

One of the critical challenges now is how best to reconfigure military health care delivery systems so that it might continue to meet its military readiness and peacetime obligations at a time when our base and force structure is continually changing.

Let me briefly give a summary of legislative provisions in the bill that we are introducing.

Section A deals with our over-65 retirees. It extends the demonstration programs that have been in place. It allows expansion of "Medicare subvention," which is critically important as a funding stream for military retiree health care. It allows expansion of the Federal Employee Health Benefits Program Demonstration—a program that I believe will still work, though there have been too few enrolled in it. We need to adequately publicize it, adequately promote it, and allow it to be expanded. This bill does that.

It expands the National Mail Order Pharmacy Program to all beneficiaries, including Medicare-eligible beneficiaries, with only a \$150 deductible. Addressing of the needs of retirees for pharmaceuticals is probably the most critical part of the entire bill and will provide great relief for our military retirees in the area of prescription drugs.

It directs modification to DOD's implementation of a legislatively directed pharmacy pilot program by reducing participation fees and alternative payment methods.

Section C deals with TriCare Prime. It makes improvements to the TriCare program, especially for active duty and their family members. It requires expansion of TriCare Prime Remote for active-duty family members of those members in remote locations. We hear many complaints from those who are serving in remote locations, and who are not near military hospitals, and this would allow expansion of that Prime Remote for those important service members.

It eliminates copays for TriCare Prime for active-duty family members, a very important provision. It directs improvement in business practices used in administering provision of health care services through the TriCare program to include access, availability, and scheduling of appointments; claims filing, processing, and payment; and national enrollment. It continues and caps previous provisions related to custodial care.

Section D provides for further collaboration between the DOD and the VA in the cooperative programs that exist in the areas of patient safety and pharmaceutical safety. All of these are critically important provisions, and there are other provisions that are going to help our military health care situation.

As we know, retirees especially have had problems with access to health care. These over-65 retirees and their families are seeing a critical problem develop. These beneficiaries believe—and rightly so—that a lifetime com-

mitment was made and that lifetime commitment is not being honored. Service members thought they were assured free lifetime health care. This was promised by recruiters in recruiting materials as late as the 1990s. We must honor that promise to our retirees.

Our active-duty service men and women find that access to care is very often difficult. Young families find it especially difficult to navigate the often cumbersome process of getting their young children to the care they need. Implementation of the managed care program appears inconsistent across the country. Families don't know what to expect when they move to different regions of the country because administration of the program appears to be handled differently at different locations.

We must show these active-duty service men and women that we care. We can do that by the passage of this bill. I look forward to working with my colleagues on both sides of the aisle to see this legislation enacted. This is a very doable, very achievable first step in improving our military health care provision for our service men and women.

I thank the Chair for his willingness to serve a little extra today so I could make my comments regarding what I think is very important legislation.

I yield the floor.

Mr. CLELAND. Mr. President, I am pleased to introduce this military health care initiative—the Military Health Care Improvements Act of 2000.

I am here today because the military health care system saved my life.

Many distinguished members have preceded me in attempting to address this issue of ensuring that our military members and their families are properly cared for.

As I have stated many times—and devoted untold hours of thought, meetings, and considerations to—military health care is the issue for those who have served and for those who are serving, and especially those who will serve in the military.

From my first day in the Senate, I have considered no issue more important in the maintenance of our military forces than the military health care system. I have addressed this issue in prior legislation.

As I arrived in Washington, the Tricare system of military health care was taking hold in my State with poor performance I might add. Of course, much has been improved because of this body and the Congress as a whole responding to our constituents, and ensuring we live up to our obligations to our military members.

In any scholar's opinion, our Nation's rise as a national power has been dependent on our military power—military power is the enabler to economic power and well being of any country.

The underpinning to our military power has always been and always will be our military service members. In

fact, Time magazine recently voted the American GI as the Person of the 20th Century.

We have obligations to these brave souls and their families who serve selflessly and proudly.

I believe that among many other quality of issues, the most important of these obligations is quality military health care. Service members serve with distinction, in places unknown, without question to orders, and without expectations. It is up to this Congress to act on legislation, and to provide the most comprehensive health care for those members—past, present, and future.

I urge my colleagues to support this bill with conviction. Why? Because it is more than the right thing to do—it must be done, if we are to fill the ranks of our services, and if we are to live up to the obligations of all those brave soldiers, sailors, marines, and airmen that have given their lives for this country so that we could enjoy this country's bounty.

Our legislation would cover several main health care issues for military personnel, their families, and military retirees, such as: expanding health care coverage for Medicare Eligible Retirees by extending the demonstration projects already underway to 2005, expanding the Tricare Senior Prime demonstration, and expanding the Federal Employees Health Care Benefits Program (FEHP), demonstration for Medicare eligibles, that is also currently underway; expanding the military pharmacy programs by expanding the national mail order pharmacy program to Medicare-eligible beneficiaries, reducing enrollment fees for the pharmacy pilot program and implementing deductibles and quarterly/monthly payment schedules; eliminating copays for Tricare Prime and expanding the Tricare remote program and improve Tricare business practices; and grandfather those participating the Department of Defense home health care demonstration program; and additionally, encourage the Department of Defense and Veterans Administration Cooperative Programs already underway to address patient safety and pharmaceutical safety, two key issues in health care today. Several other legislative initiatives have been introduced this year to address health care for the military—active duty and retirees.

In the coming weeks, the Personnel Subcommittee of the Senate Armed Services Committee, which Senator HUTCHINSON heads and of which I am pleased to be the ranking Democrat, will address each bill that comes to us on the subject of military health care reform in the hopes of finding the right combination of each of these bills to formulate the best final product for the committee's markup. I look forward to receiving testimony on each measure, and I look forward to working with Senator HUTCHINSON on these important health care initiatives. Since his appointment to the Senate Armed

Services Committee, I have truly enjoyed a wonderful working relationship with him, and I am sure that will continue. I appreciate his support and his interest in the issue of service men and women and their health care.

I have also been encouraged by the bipartisan support our measure has received, and I am happy to be working with the chairman of the Armed Services Committee, Chairman WARNER, Ranking Member LEVIN, Majority Leader LOTT, and Minority Leader DASCHLE on addressing this critical issue. This legislation continues our work on addressing health care for retirees and the active components. I am excited at the possibility of passage of this comprehensive legislation.

By Mr. CLELAND:

S. 2088. A bill to amend the Clean Air Act and titles 23 and 49, United States Code, to provide for continued authorization of funding of transportation projects after a lapse in transportation conformity; to the Committee on Environment and Public Works.

THE ROAD BACK TO CLEAN AIR ACT

• Mr. CLELAND. Mr. President, I am pleased to rise today to introduce the "Road Back to Clean Air Act". Georgia has one of the fastest growth rates in the nation, specifically in the Metropolitan Atlanta area. Although this growth is welcomed and encouraged as an economic boom for the region, two of the results created by this growth have been traffic congestion and air pollution. Unfortunately, as we embark into a new millennium with all of its great possibilities, what is most noted about Metro Atlanta is the severe transportation problems of the region. A recent survey found that Atlanta had the very worst traffic congestion of any Southern city, and Metro Atlanta drivers have the longest average vehicle miles traveled in the nation—an average of 34 miles per day. All of this costs our economy \$1.5 billion a year in wasted time and fuel. And, this congestion has been accompanied by significant environmental problems.

To make matters even worse for the State and Metro Atlanta, the ability of the area to correct this problem is complicated and constrained for two reasons. First, Metro Atlanta is designated a "serious" non-attainment area under the Clean Air Act. Second, Metro Atlanta has been in a conformity lapse since January 17, 1998. Each of these designations restricts the ability of the Metro area to implement new transportation projects, thus hindering the economic growth and quality of life in the region.

In addition, in March of last year, the D.C. District Court of Appeals effectively ruled that Metro Atlanta's 61 "grand-fathered" transportation projects were illegal because they were not in conformity with clean air requirements, thus calling into question some \$1 billion worth of such construction projects. Fortunately, on June 21, 1999, an out-of-court settlement was reached in Atlanta relating to a similar lawsuit filed by The Georgia Conservancy, the

Sierra Club, and Georgians for Transportation Choices. These groups indicated that they did not file the suit to kill road projects, but rather to bring attention to the need for regional planning, air quality improvement, and transportation alternatives. The settlement allowed 17 of the 61 road projects to move forward while declaring the remaining 44 ineligible.

I must express my sincerest appreciation to Transportation Secretary Slater whose personal intervention and commitment made this settlement agreement possible. This was very positive news which has allowed Metro Atlanta to finally begin to move forward with its 17 approved projects and to redirect its surplus funds toward transportation alternatives which will help reduce traffic congestion and improve air quality. In fact, as a result of the settlement, Atlanta is soon expected to submit its Regional Transportation Plan (RTP) which not only embodies a new focus on more regional planning and transportation alternatives, but also includes most, if not all, of the grand-fathered projects which were halted. The difference here of course is that these grand-fathered projects are now incorporated into a more comprehensive long-range transportation plan which takes into account Atlanta's clean air problems. This is a win-win situation for Metro Atlanta.

However, this is a serious, serious problem and is in large measure a product of the very economic success which has made, year after year, Metro Atlanta one of the fastest growing areas of the country. Because the problem has been building over many years, the planners in Metro Atlanta understand that a solution will not occur overnight. However, Atlanta's experience has highlighted the need for providing local planners with additional flexibility during a conformity lapse. It is this experience that has led me to introduce the Road Back to Clean Air Act.

The purpose of the Road Back to Clean Air Act is to assist metropolitan areas, such as Atlanta, which are facing severe transportation problems that are complicated by time-consuming, inflexible constraints.

First, the Road Back to Clean Air Act codifies the Environmental Protection Agency (EPA) and U.S. Department of Transportation (DOT) guidance put forward as a result of the D.C. District Court decision. The Atlanta situation has demonstrated that these guidelines can allow transportation projects to move forward while ensuring that local residents are protected from the negative health effects of dirty air.

Second, the bill provides local planners with additional flexibility to obtain federal funding for beneficial transportation projects during a conformity lapse. Among other projects which could move forward during such a lapse would be public transit and high occupancy vehicle lanes.

The main benefit of this legislation is that it provides transportation plan-

ners in cities across the country with additional flexibility in meeting their transportation goals while preserving the health benefits of clean air. Additionally, it has the endorsement of numerous environmental groups, including the plaintiffs in the D.C. District Court case. Therefore, costly litigation that can only delay Atlanta's, and other areas, good faith efforts to alleviate traffic congestion and improve air quality will be avoided should this legislation be enacted into law.

Beyond Atlanta, other metropolitan areas in the United States are currently or will in the future face the constraints of non-conformity and non-attainment as they attempt to develop and implement their transportation plans. I believe the Road Back to Clean Air Act will provide these cities with the flexibility to move forward with vital transportation projects while at the same time maintaining the integrity of the Clean Air Act.

I thank my colleagues for their attention and I urge your co-sponsorship of this important legislation. •

#### ADDITIONAL COSPONSORS

S. 279

At the request of Mr. MACK, his name was added as a cosponsor of S. 279, a bill to amend title II of the Social Security Act to eliminate the earnings test for individuals who have attained retirement age.

S. 353

At the request of Mr. GRASSLEY, the name of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 353, a bill to provide for class action reform, and for other purposes.

S. 424

At the request of Mr. COVERDELL, the names of the Senator from Utah (Mr. HATCH) and the Senator from Mississippi (Mr. LOTT) were added as cosponsors of S. 424, a bill to preserve and protect the free choice of individuals and employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 512

At the request of Mr. GORTON, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. 512, a bill to amend the Public Health Service Act to provide for the expansion, intensification, and coordination of the activities of the Department of Health and Human Services with respect to research on autism.

S. 542

At the request of Mr. ABRAHAM, the names of the Senator from Virginia (Mr. WARNER) and the Senator from Minnesota (Mr. GRAMS) were added as cosponsors of S. 542, a bill to amend the Internal Revenue Code of 1986 to expand the deduction for computer donations to schools and allow a tax credit for donated computers.

S. 661

At the request of Mr. ABRAHAM, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 661, a bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions.

S. 662

At the request of Ms. SNOWE, the name of the Senator from Missouri (Mr. ASHCROFT) was added as a cosponsor of S. 662, a bill to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screening program.

S. 818

At the request of Mr. DEWINE, the name of the Senator from Minnesota (Mr. GRAMS) was added as a cosponsor of S. 818, a bill to require the Secretary of Health and Human Services to conduct a study of the mortality and adverse outcome rates of medicare patients related to the provision of anesthesia services.

S. 879

At the request of Mr. CONRAD, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 879, a bill to amend the Internal Revenue Code of 1986 to provide a shorter recovery period for the depreciation of certain lease hold improvements.

S. 1007

At the request of Mr. JEFFORDS, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1007, a bill to assist in the conservation of great apes by supporting and providing financial resources for the conservation programs of countries within the range of great apes and projects of persons with demonstrated expertise in the conservation of great apes.

S. 1110

At the request of Mr. LOTT, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1110, a bill to amend the Public Health Service Act to establish the National Institute of Biomedical Imaging and Engineering.

S. 1191

At the request of Mr. DORGAN, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 1191, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide for facilitating the importation into the United States of certain drugs that have been approved by the Food and Drug Administration, and for other purposes.

S. 1241

At the request of Mr. ASHCROFT, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 1241, a bill to amend the Fair Labor Standards Act of 1938 to provide private sector employees the same opportunities for time-and-a-half compen-

satory time off and biweekly work programs as Federal employees currently enjoy to help balance the demands and needs of work and family, to clarify the provisions relating to exemptions of certain professionals from minimum wage and overtime requirements of the Fair Labor Standards Act of 1938, and for other purposes.

S. 1276

At the request of Mr. L. CHAFEE, his name was added as a cosponsor of S. 1276, a bill to prohibit employment discrimination on the basis of sexual orientation.

S. 1311

At the request of Mr. MURKOWSKI, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 1311, a bill to direct the Administrator of the Environmental Protection Agency to establish an eleventh region of the Environmental Protection Agency, comprised solely of the State of Alaska.

S. 1638

At the request of Mr. ASHCROFT, the name of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 1638, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to extend the retroactive eligibility dates for financial assistance for higher education for spouses and dependent children of Federal, State, and local law enforcement officers who are killed in the line of duty.

S. 1763

At the request of Mr. ALLARD, the name of the Senator from Colorado (Mr. CAMPBELL) was added as a cosponsor of S. 1763, a bill to amend the Solid Waste Disposal Act to reauthorize the Office of Ombudsman of the Environmental Protection Agency, and for other purposes.

S. 1800

At the request of Mr. GRAHAM, the names of the Senator from California (Mrs. BOXER), the Senator from Vermont (Mr. JEFFORDS), and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 1800, a bill to amend the Food Stamp Act of 1977 to improve onsite inspections of State food stamp programs, to provide grants to develop community partnerships and innovative outreach strategies for food stamp and related programs, and for other purposes.

S. 1874

At the request of Mr. GRAHAM, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1874, a bill to improve academic and social outcomes for youth and reduce both juvenile crime and the risk that youth will become victims of crime by providing productive activities conducted by law enforcement personnel during non-school hours.

S. 1883

At the request of Mr. BINGAMAN, the name of the Senator from North Carolina (Mr. HELMS) was added as a co-

sponsor of S. 1883, a bill to amend title 5, United States Code, to eliminate an inequity on the applicability of early retirement eligibility requirements to military reserve technicians.

S. 1921

At the request of Mr. CAMPBELL, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 1921, a bill to authorize the placement within the site of the Vietnam Veterans Memorial of a plaque to honor Vietnam veterans who died after their service in the Vietnam war, but as a direct result of that service.

S. 1941

At the request of Mr. DODD, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 1941, a bill to amend the Federal Fire Prevention and Control Act of 1974 to authorize the Director of the Federal Emergency Management Agency to provide assistance to fire departments and fire prevention organizations for the purpose of protecting the public and firefighting personnel against fire and fire-related hazards.

S. 1985

At the request of Mr. TORRICELLI, the name of the Senator from Louisiana (Mr. BREAU) was added as a cosponsor of S. 1985, a bill to amend the Internal Revenue Code of 1986 to lower the adjusted gross income threshold for deductible disaster casualty losses to 5 percent, to make such deduction an above-the-line deduction, and to allow an election to take such deduction for the preceding or succeeding year.

S. 2003

At the request of Mr. JOHNSON, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 2003, a bill to restore health care coverage to retired members of the uniformed services.

S. 2015

At the request of Mr. SPECTER, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 2015, a bill to amend the Public Health Service Act to provide for research with respect to human embryonic stem cells.

S. 2018

At the request of Mrs. HUTCHISON, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 2018, a bill to amend title XVIII of the Social Security Act to revise the update factor used in making payments to PPS hospitals under the medicare program.

S. 2021

At the request of Mr. LEAHY, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 2021, a bill to prohibit high school and college sports gambling in all States including States where such gambling was permitted prior to 1991.

S. 2035

At the request of Mr. SPECTER, the name of the Senator from California

(Mrs. FEINSTEIN) was added as a cosponsor of S. 2035, a bill to amend title 49, United States Code, to clarify the application of the Act popularly known as the "Death on the High Seas Act" to aviation incidents.

S. 2062

At the request of Mr. LEVIN, his name was withdrawn as a cosponsor of S. 2062, a bill to amend chapter 4 of title 39, United States Code, to allow postal patrons to contribute to funding for organ and tissue donation awareness through the voluntary purchase of certain specially issued United States postage stamps.

S. 2074

At the request of Mr. ASHCROFT, the names of the Senator from Idaho (Mr. CRAIG), the Senator from Oklahoma (Mr. NICKLES), the Senator from Kansas (Mr. BROWNBACK), the Senator from Kentucky (Mr. BUNNING), the Senator from Florida (Mr. MACK), and the Senator from Minnesota (Mr. GRAMS) were added as cosponsors of S. 2074, a bill to amend title II of the Social Security Act to eliminate the social security earnings test for individuals who have attained retirement age.

S. 2082

At the request of Mr. DEWINE, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 2082, a bill to establish a program to award grants to improve and maintain sites honoring Presidents of the United States.

S. CON. RES. 81

At the request of Mr. ROTH, the names of the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. Con. Res. 81, a concurrent resolution expressing the sense of the Congress that the Government of the People's Republic of China should immediately release Rabiya Kadeer, her secretary, and her son, and permit them to move to the United States if they so desire.

S.J. RES. 3

At the request of Mr. KYL, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S.J. Res. 3, a joint resolution proposing an amendment to the Constitution of the United States to protect the rights of crime victims.

S. RES. 87

At the request of Mr. DURBIN, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. Res. 87, a resolution commemorating the 60th Anniversary of the International Visitors Program.

S. RES. 128

At the request of Mr. COCHRAN, the name of the Senator from Alaska (Mr. MURKOWSKI) was added as a cosponsor of S. Res. 128, a resolution designating March 2000, as "Arts Education Month."

S. RES. 253

At the request of Mr. SPECTER, the names of the Senator from California

(Mrs. FEINSTEIN), the Senator from New Jersey (Mr. LAUTENBERG), and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. Res. 253, a resolution to express the Sense of the Senate that the Federal investment in biochemical research should be increased by \$2,700,000,000 in fiscal year 2001.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. BURNS. 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 Wednesday, February 23, 2000.

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

##### COMMITTEE ON ARMED SERVICES

Mr. BURNS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet at 9:30 a.m. on Wednesday, February 23, 2000, in closed session, to receive testimony on the situation in Kosovo.

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

##### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. BURNS. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Wednesday, February 23, 2000, to conduct a hearing on the Federal Reserve's first semi-annual monetary policy report for 2000.

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

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BURNS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Wednesday, February 23, for purposes of conducting a Full Committee business meeting which is scheduled to begin at 10 a.m.

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

##### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. BURNS. Mr. President, I ask unanimous consent that the Senate Committee on Environment and Public Works be authorized to conduct a hearing to receive testimony on the Environmental Protection Agency FY 2001 budget during the session of the Senate on Wednesday, February 23, 2000, at 10:30 a.m.

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

##### COMMITTEE ON FINANCE

Mr. BURNS. Mr. President, I ask unanimous consent that the Senate Committee on Finance be authorized to meet during the session of the Senate

on Wednesday, February 23, 2000 at 9:30 a.m. to hear testimony regarding the U.S.-China Bilateral Trade Agreement on China's Accession to the WTO.

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

##### COMMITTEE ON INDIAN AFFAIRS

Mr. BURNS. Mr. President, I ask unanimous consent that the Senate Committee on Indian Affairs be authorized to meet during the session of the Senate on Wednesday, February 23, 2000 at 9:30 a.m. to conduct an oversight hearing on the President's Budget Request for Indian Programs for FY 2001.

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

##### COMMITTEE ON THE JUDICIARY

Mr. BURNS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Wednesday, February 23, 2000, at 10 a.m., in SD—226.

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

##### SELECT COMMITTEE ON INTELLIGENCE

Mr. BURNS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, February 23, 2000 at 2 p.m. to hold a closed hearing on intelligence matters.

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

##### SUBCOMMITTEE ON FORESTS AND PUBLIC LANDS

Mr. BURNS. Mr. President, I ask unanimous consent that the Subcommittee on Forest and Public Lands of the Senate Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Wednesday, February 23 at 2:30 p.m. to conduct an oversight hearing.

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

##### SUBCOMMITTEE ON SURFACE TRANSPORTATION AND MERCHANT MARINE

Mr. BURNS. Mr. President, I ask unanimous consent that the Surface Transportation/Merchant Marine Subcommittee on the Senate Committee on Commerce, Science, and Transportation be authorized to meet on February 23, 2000, at 10 a.m. on AMTRAK oversight.

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

#### PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that Patrick Shank of the Senate Finance Committee be allowed access to the Senate floor for the remainder of the debate on S. 1134.

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

Mr. WARNER. Mr. President, I ask unanimous consent that Patricia L. Lewis, a member of the staff of the Committee on Armed Services, be granted the privilege of the floor during the introduction of the Military Health Care Improvement Act of 2000.

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

Mr. WARNER. Mr. President, she has been an invaluable assistant, as has the staff of my committee, together with the staff of Senator LOTT, and others who have been working on this important piece of legislation.

#### ADDITIONAL STATEMENTS

##### ACCESS TO FIREARM PARTS

• Mr. LEVIN. Mr. President, today in the Detroit Free Press, there is a story about a potential nightmare in Michigan. The article alleges that Kevin Olender, a felon convicted of assault with a dangerous weapon was preparing an attack on his co-workers in Farmington Hills. According to the article, Olender was able to evade background checks required by the Brady law, by purchasing a gun in parts. Allegedly, Olender was only one part away from finishing the construction of his firearm, and that part was expected within days.

In the end, investigators prevented any shoot-out, but the article highlights another loophole in federal firearm law that gives felons access to firearms which would otherwise be forbidden. I urge my colleagues to close this loophole and the many others in our federal law.

I ask that the Detroit Free Press article about this loophole be printed in the RECORD.

The article follows:

[From the Detroit Free Press, Feb. 23, 2000]  
FELON'S GUN CHARGES SHOW NET LOOPHOLE—  
POLICE SAY SUSPECT WAS ABLE TO BUY  
PARTS ON-LINE

(By L.L. Brasier and Ruby L. Bailey)

With a credit card and the Internet, Kevin Olender had everything he needed to find parts for an assault rifle.

It was no problem, even for a felon.

Four days after Christmas last year, Olender went shopping. He ordered a \$199.95 parts package for a military-style rifle from Interordnance, an Internet gun dealer based in Monroe, N.C. He bought another parts package from the firm Feb. 4.

Police and prosecutors say Olender, 40, of Wyandotte, was preparing for an assault on co-workers at Compuware in Farmington Hills. He only needed one more part, known as a receiver, to finish building a working gun.

The part was on order, police say. But authorities raided his home last Friday and arrested him.

"He was ready to do it," Farmington Hills Police Chief William Dwyer said Tuesday. "I think we saved a lot of lives."

Dwyer said his investigators found evidence that Olender had located the receiver, a palm-sized part that holds pieces together and makes the gun fire, and expected it within days. Dwyer would not say how investigators determined that.

A person with a felony background is prohibited from possessing a gun or ammunition. But there's a loophole in federal law. Though dealers cannot sell a gun without a background check, they can sell gun parts, weapons experts said.

Ulrich Wiegand, owner of Interordnance, said he did not check Olender's background when filling his order.

"No, of course not," he said. "We are not required to because we weren't selling him a gun."

Olender was convicted in 1996 in Detroit Recorder's Court of a felony, assault with a dangerous weapon, court records show. He received five years' probation.

Wiegand said he sells many parts packages, but declined to say how many.

"You have to understand, we did not send him guns," Wiegand said. "This is nothing but parts, and he could do nothing with them without a receiver."

Wiegand said his company sells fully assembled weapons only to federally licensed firearm dealers.

But Dwyer said Olender's easy access to gun components on the Internet points out the need for new laws.

"It is like the old West, only with no sheriff in town," Dwyer said. "You've got sexual predators, violent people buying guns. We need to come up with some safeguards."

Olender is being held in the Wayne County Jail on a charge of possessing a firearm as a felon, and using a firearm in a felony.

Olender could face federal charges for possessing ammunition as a felon. Agents for the federal Bureau of Alcohol, Tobacco and Firearms are investigating what charges may be filed, said Vera Fedorak, an agency spokeswoman.

During Friday's raid, authorities recovered two disassembled rifles from Olender's basement, as well as a manual for assembling the guns. They also found hundreds of rounds of ammunition, including steel-nosed bullets designed to penetrate bullet-proof vests.

Investigators found that he was missing receivers, also known as frames, used to hold the gun pieces in place.

To purchase a receiver, Olender should have been subjected to a background check, by law. Dwyer and others would not comment further about the receiver.

Without the receiver, what Olender had was like "a car without a motor," said Victor Reid, co-owner of Midwest Ordnance Gun Shop in Royal Oak.

A receiver would cost \$300 to \$400, he said. The part is regulated by the federal government, has a serial number, and cannot be sold without a license.

"They are virtually impossible to get illegally," said Reid, who said he does not sell gun kits at the store, or on the company's Web site. "It's not an item that you can just go buy."

The packages that Olender bought from the North Carolina firm consisted of gun parts from military weapons dating to the 1950s, and disassembled overseas. The packages are popular among collectors and sportsmen, who acquire the needed receivers through dealers, and reassemble the guns.

Police said they are investigating where Olender got the ammunition.

Concerns about guns and the Internet have prompted federal lawmakers to pursue legislation targeting Internet sales of guns.

Hundreds of Internet sites advertise weapons for sale.

Many are dealers who comply with federal laws. But individuals often don't, said Jim Kessler, policy director for U.S. Sen. Charles Schumer, D-N.Y. Schumer has sponsored a bill that would make it illegal for anyone except licensed gun dealers to buy and sell guns over the Internet. The measure is pending.

"Nobody's watching," Kessler said. "The Internet itself presents a giant loophole in gun laws."

When searching for guns over the Internet, buyers can't legally make the purchase directly on-line, gun experts said.

Buyers scan Web sites where guns are advertised, then contact a dealer and complete the purchase. The dealer must ship the weapon to another gun dealer, who is required to make sure that the buyer fills out the re-

quired forms and undergoes a background check.

"It's not like someone can put their credit card in a Web site and get a gun," said Trish Hylton, spokeswoman for the National Rifle Association.

She said the Internet "is like a classified ad. The person selling and the person purchasing have to abide by all the laws that are in place." •

#### RETENTION OF MILITARY SERVICE MEMBERS

• Mr. WARNER. Mr. President, I rise today to offer excerpts from three very insightful, thought provoking articles recently published in the U.S. Naval Institute magazine PROCEEDINGS. These articles were written by enlisted service members on the very important subject of retention of enlisted personnel in our Armed Forces. This is one of the most critical issues facing our military services today and I am encouraged by the solutions our senior enlisted personnel have offered as it shows their deep concern for their people, their service and their country. Allow me to share with you some of these perceptive views on this complex problem:

Senior Chief Navy Counselor Paul T. Pierce, USN writes, "... what is the number-one reason that sailors—talented sailors, the ones we want to keep—cite as their greatest dissatisfier? It is not pay or even family separation. Those issues always are near the top, but the number one reason sailors give for separating from the service is lack of advancement opportunity." He further states, "The evidence is intuitive and irrefutable that we cannot build a force of professionals if we afford them virtually zero advancement opportunity. It is really that simple. . . . The fact remains that today's sailors are smart enough to grasp that promises of better opportunity made through almost ten years of draw down simply are not likely to materialize in any meaningful way in a 'steady-state' Navy. This generation of young sailors and junior officers believes it has stupendous opportunities outside the Navy. Real or imagined, that siren's call is beckoning to them—imploping them to leave us. At the same time, many of them, particularly our mid-grade, second-term enlisted technicians, have qualities that make them highly marketable on the outside. . . . If we want to make real headway retaining sailors, then we must make the restoration of advancement opportunity a readiness imperative."

Master Chief Machinist's Mate James P. Russell, USN writes, "Recognizing what sailors need is not an easy task. Sailors will always tell you they want more money. If we continue to chase the sailor's paycheck as the retention tool of choice, we will reach a point where we no longer can afford the price. It is unreasonable to expect that the Navy will be able to meet the perks and extras from our competition. It is the intangibles that will make the sailor stay for a career. We have things to



offer that no company on earth can match: the opportunity to make a difference; structured guidance and support throughout a career; responsibility at a level unmatched anywhere; a retirement plan that is guaranteed to be there at the end of a career; respect recognized throughout the world; the chance to grow and develop in an environment that is tolerant of mistakes; camaraderie that cannot be matched by any corporation; and an opportunity to experience all this in a global environment.

The person who needs to be able to transmit the knowledge of those perks to the sailor, and to make sure they are available, is that sailor's chief. Sailors are happiest when: they have a clearly defined mission; have ownership of their work environment; are held to fair, consistent and sensible standards; their families live in a clean, safe, and relatively comfortable location; and they receive recognition and pay that reflect the importance of what they do for their country. As the Navy leadership focuses on the first and the last, the responsibility of fighting for the rest lies squarely on the shoulders of the chief. The bottom line? Keep sailors happy and they will stick around."

And finally, Master Sergeant Michael M. Green, USAF writes, "Our military and political leadership express serious concern for the ever-growing retention and recruiting problems facing the enlisted force, and have initiated moderate pay improvements to help resolve these problems. Much more can and must be done, however, to address the real financial needs and expectations of our enlisted warriors. The chief shortfalls of the current pay structure are in basic pay, the basic allowance for subsistence (BAS) and education incentives." He concludes, "There are innumerable reasons why patriots choose and continue to serve in our nation's military. There are significantly fewer reasons why they opt to leave. Financial compensation is the chief concern to both young recruits and old wardogs. Fashioning a more equitable pay and allowance structure will greatly entice tomorrow's warriors into service as well as to keep today's enlisted force serving proudly. . . . Our enlisted force is not composed of second-class citizens. It is a collection of the guardians of our nation and our national interests. It is time they are compensated that way."

These veterans have poignantly put forward their thoughts on a most difficult issue in an honest and sincere fashion. Mr. President, I thank you for the opportunity to share their views with you and the Nation they serve.●

#### IN HONOR OF JIMMY DON HUDSON

● Mr. BREAUX, Mr. President, on behalf of Senator LANDRIEU, I rise with great sorrow on the passing of Jimmy Don Hudson of Monroe, Louisiana. He was a friend to me, Senator LANDRIEU and all those who knew him.

It has been said that Jimmy Don had a gift that made everyone think they were his best friend. A dedicated husband and father, Jimmy Don worked hard every day for the people of Monroe and the state of Louisiana.

A tireless public servant, Jimmy Don served on numerous boards and commissions. He was president of the Tensas Basin Levee District. He also held leadership roles on, to name a few, the Monroe Chamber of Commerce, the Governor's Commission on Higher Education, the Monroe Downtown Economic Development District, the West Monroe Boys and Girls Club, the United Way of Northeast Louisiana and the Ouachita Council on Aging.

Jimmy Don also served his country in the Vietnam War. As a helicopter pilot, he logged more than 1,000 hours of flight time while making sure both wounded and able-bodied American soldiers were out of harm's way. After his tour of duty, Jimmy Don continued his military service in the Army National Guard until 1996, logging an additional 2,800 hours of seat time.

Mr. President, some say the best people die at an early age. This is certainly true in Jimmy Don's case. Although he only spent 52 years with us on this earth, his legacy will live forever. Senator LANDRIEU and I extend our condolences to his wife Pam, and sons Brandon and Gabe. Jimmy Don will be sorely missed.

I have attached an editorial written by Keith Prince of the Monroe (La.) News-Star that describes Jimmy Don well, and request it be included following my statement.

[From the Monroe (La.) News-Star]

(By Keith Prince)

#### HUDSON WAS ABLE TO MAKE EVERYONE FEEL LIKE HIS BEST FRIEND

It's never easy to say goodbye.

It is even more difficult when it is someone in the prime of life, at the very pinnacle of his professional and personal life.

Jimmy Don Hudson fits that description perfectly.

Why his heart failed last Saturday night while in Washington, D.C., attending Mardi Gras festivities is unknown. An avid pilot, Hudson had passed a flight physical exam just two weeks ago.

All we do know today is that countless friends feel a very real loss and have his wife, Pam, and sons, Brandon and Gabe, in their thoughts and prayers.

There's a lot of great qualities that we will all remember about Jimmy Don, but the list should start with the tremendous dedication he had for his family. He spent a lot of time with his sons and it shows, said longtime friend George Luffey.

The uniqueness of this man is his rare ability to easily handle the boundary of business associate-friend that some people never figure out.

Jimmy Don was capable of being both a very effective and successful ambassador for BellSouth and at the same time make everyone he knew feel special.

The comment Sunday by State Rep. Francis Thompson summed up Jimmy Don perfectly. He had that gift of making everyone think they were his best friend.

Personally, anytime we visited I walked away feeling better. He was always positive,

uplifting and you had no doubt he was interested in you and what you had going on.

Very unassuming, Hudson had moved steadily up the ranks in the corporate world of BellSouth, and I suspect that the company long ago recognized the same qualities that all the rest of us grew to appreciate in this man.

He began at what was then South Central Bell working summers in the coin department while a student at Northeast Louisiana State College.

Except for a highly decorated tour of duty with the Army during the Vietnam War, Hudson never left the telephone company and next month would have marked his 28th year there.

Linda Williams had worked with Jimmy Don in the public relations office at BellSouth since he moved into that department in 1985, and she doesn't remember a bad moment.

He was very kind-hearted and wonderful to work with. He was always trying to help others and never sought out any recognition for it. He loved life and I think he made a real difference in the lives of many in our community.

Hudson also made a major difference for many wounded American soldiers during the Vietnam War. After going through ROTC at the college and graduating in 1969, he entered the Army as a second lieutenant and later served as an aviation platoon leader and helicopter pilot in Vietnam. One of his assignments was to rescue U.S. soldiers downed in the field.

He wouldn't talk much about that, but I understand he had over 1,000 combat hours and was one of the best helicopter pilots over there, said Luffey.

Of course, it is impossible to characterize Jimmy Don Hudson without recalling his sense of humor. He was the master of comebacks, said Luffey. You might think you had him pinned down with a comment but he was always able to get in the last word.

One of Hudson's lifelong friendships began when, as a high school student, he worked for Jackie Neal, then the director of parks and recreation for the city of Monroe.

He did whatever we needed—mow grass, line off the fields, umpire a little. He was something else. I've always said Jimmy Don is the only person I ever fired twice in one day. First he and Petey Smith got two trucks stuck, and later I needed him and finally found him playing basketball at one of the recreation centers, Neal recalled.

Later Neal and Hudson officiated football games together for 10 years. We finally gave that up, and he began playing golf in his spare time. He's been like a little brother to me. We talked on the phone or saw each other often. Any time I've ever been sick, Jimmy Don would call every day.

I can't tell you how much I will miss him, added Neal.

And, so will everyone else lucky enough to have known Jimmy Don Hudson.●

#### AFRICAN AMERICAN HISTORY MONTH

● Mr. DURBIN. Mr. President, I rise today in honor and acknowledgment of African American History Month, a great tradition honoring and celebrating African Americans. This 74 year tradition, proposed by Dr. Carter G. Woodson, a son of former slaves, seeks to broaden our vision of the world, the legacy of African Americans in our nation's history, and their role in our nation's future.

When Dr. Woodson, the Father of Black History, was earning his bachelor's and master's degrees at the University of Chicago, this country had only the slightest respect for people of color. Dr. Wilson's devotion to ensuring that Blacks would escape "the awful fate of becoming a negligible factor in world thought" was ridiculed and attacked. However, in the end he prevailed and pioneered the celebration of Negro History Week, now Black History Month. The theme for this year's celebration is "Heritage and Horizons: The African American Legacy and the Challenge of the 21st Century."

The African American legacy in my home state of Illinois is great. Illinois is the birthplace of prominent African American writers such as Ellis Cose, Charles Johnson and Lorraine Hansberry. Illinois' native sons, James Cleveland and Miles Davis, are two of the world's greatest musical composers who transcend racial lines. And beloved daughter of Illinois, Katherine Dunham, dancer and choreographer, continues to bring the tradition of great African dance to a wide audience.

In addition to a rich history in the arts, African American Illinoisans also have played a significant role in state, local and federal government. Consider, for example, John Jones, the first African American elected to any public office in Cook County; Floy Clements, the first woman elected to the Illinois legislature; Harold Washington, former mayor of Chicago; and Carol Moseley-Braun, the first African American woman elected to the United States Senate. These African Americans, like those who have come before them, continue to shape our nation's history and inspire new generations of African Americans.

Today's African Americans have made great strides and overcome a variety of color barriers. The unemployment rate for African Americans has fallen from 14.2% in 1992 to 8.3% in 1999, the lowest annual level on record. The real wages of African Americans have risen rapidly, over 5% in the past two years. Moreover, while the African American child poverty rate is still too high, it fell to 36.7% in 1998, the lowest level on record. However, as these data suggest, there is still more work to be done.

The rate of firearm-related injuries is still unacceptably high. Racial profiling on our highways and in our airports and housing developments continues to be a serious problem. The rising cost of tuition continues to place ethnic minorities at an academic and economic disadvantage. The poor conditions and quality of too many of our schools keep children from low socioeconomic households from breaching the digital divide. Racial disparities in mental health and health care are pervasive in our society. And in the Chicago metropolitan area, after a two year decline, the number of reported AIDS cases has jumped 24 percent. Although African Americans represent

13% of the US population, they account for more than half of new HIV infections.

AIDS knows no boundaries. This month, as we examine and reflect on the legacy and challenges of African Americans, we must not forget our brothers and sisters in Africa. Approximately 23.3 million adults and children are infected with HIV in sub-Saharan Africa, which has about 10% of the world's population but nearly 70% of the world's infected people. I recently witnessed the devastation of this deadly virus first hand—isolation, prejudice, and a multitude of new orphans. This month, as we celebrate the heritage and horizons of African Americans, we must ask ourselves, what is on the horizon for our African brothers and sisters?

These are just some of the problems which require our attention if we are to fulfill the dreams of visionaries like Dr. Woodson, Dr. Martin Luther King, Jr., and other African Americans who continue to serve as role models for all Americans. Dr. Woodson believed in looking back in order to look forward. In this special month that seeks to learn from the past and shape our future, we need to examine how to build on the legacy of hope left to us from those who have gone before us.

As we move forward into this new millennium, let us extend Dr. Woodson's mission past the month of February and make it part of the fabric of our lives. Let us look to our forefathers, no matter what their race, creed, or color, and unite in our diversity to build one America and to build a world where every child has hope for the future.●

#### THE BOY SCOUTS OF AMERICA 90TH ANNIVERSARY

● Mr. GRAMS. Mr. President, I rise today to pay tribute to the Boy Scouts of America on the occasion of the 90th anniversary of its founding.

From its beginning in 1911, the Boy Scouts has grown in size to more than five million active members in 1999. In the 90 years since its origination, the Boy Scouts has influenced more than 100 million boys, young men, and women. Minnesota scouting officials estimate that in my home state, more than 100,000 young people participate in the program today.

Using goal setting and team building, Boy Scouts develop skills to overcome obstacles through trial and error. Whether earning their next merit badge or learning how to properly interact with the environment, Boy Scouts are able to translate what they have learned through the program into their families, churches, and communities.

Let me also take a moment to commend the almost 500,000 adult volunteers, including 24,000 Minnesotans, who serve as leaders for the Boy Scouts. Both men and women serve the Boy Scouts in various capacities rang-

ing from unit leaders to merit badge counselors. The Boy Scouts of America would certainly not be possible if it were not for the efforts of these stalwart volunteers.

Although times have changed, fads come and go, the Boy Scouts continue to be an effective tool in training our nation's youth. Through the Scouts' core values of helping other people at all times and keeping themselves physically strong, mentally awake, and morally straight, scouts impact our communities in many ways. Students who have been through the Boy Scout program and have adopted these values as their own are needed now more than ever before.

Over the years, the Boy Scouts have produced many of the country's most respected civic, professional, and community leaders. Right here in the Senate, 66 of my fellow colleagues have served as a scout, a leader, or in some cases, both. With all that the Boy Scouts have done for our country, I hope its next 90 years will be as productive as these first 90 have been.

On this 90th anniversary of the founding of the Boy Scouts of America, I wish my very best to the Boy Scouts, not only in Minnesota, but to Scouts across our great Nation.●

#### AMERICAN HEART MONTH

● Mr. GRAMS. Mr. President, I rise today to recognize February as American Heart Month. As its sponsoring organization, the American Heart Association (AHA) plays a major role in advocacy at both the national and local levels through activities to increase public awareness of health concerns. Their messages this month is "Be an American Heartsaver! Know the warning signs of heart attack. Call 9-1-1. Give CPR."

These three simple steps are aimed at reducing the number of lives lost every day—nearly 700—because the victims were unable to reach a hospital in time. The harsh fact is that cardiovascular diseases are the number one killer of men and women. In 1997, 34 percent of deaths from cardiovascular disease occurred prematurely, before the victims reached age 75. In total, more than 953,000 deaths were due to cardiovascular disease in 1997; 47 percent of those victims were women and 53 percent men.

During American Heart Month, thousands of AHA volunteers across the country canvass neighborhoods to raise funds and provide educational information about cardiovascular diseases and stroke. This is where the AHA makes its mark through its steadfast pursuit to reduce disability and death from cardiovascular diseases and stroke. By educating the American public about the early warnings signs of heart attacks and stroke, the members and volunteers of the AHA know that individuals will be better prepared to save themselves—and others around them.

The AHA has produced educational kits for Americans of all ages. Accordingly to the AHA, helping children understand the early warning signs of heart problems can have a tremendous impact when their family is concerned. Cardiopulmonary resuscitation classes provide Americans, regardless of their age, with the tools to assist in cardiac emergencies.

With the many advances medical science has experienced, the list of measures we can take in prevention of cardiovascular disease continues to grow. Controlling high blood pressure and cholesterol, becoming active through regular exercise, and stopping smoking are some of the easiest steps to reducing the risk of cardiovascular disease.

The AHA has emphasized these measures in the hopes of reducing cardiovascular disease, stroke, and the risk of these diseases by 25 percent over the next eight years. In addition, the AHA runs an Active Partnership program for cardiac patients to help them take responsibility for reducing their cardiovascular risks in the future.

My state of Minnesota has long been on the frontline of health care and a Centers for Disease Control and Prevention study released last week indicated Minnesota as having the lowest occurrence of cardiovascular disease among women nationwide. We must continue to reduce the occurrence of cardiovascular disease in Minnesota, but the study suggests we are already heading in the right direction.

As American Heart Month comes to a close, I commend the American Heart Association and its army of volunteers for putting their hearts to work to see that the hearts of others continue to beat a little bit longer and a little bit stronger. They join a long list of health care-related organizations, professionals, and industries making Minnesota a healthier place to live.●

#### NATIONAL ENGINEERS WEEK

● Mr. GRAMS. Mr. President, I rise today to pay tribute to those men and women who have made the world we live in a better place through advances in engineering. Since 1951, the week that includes George Washington's birthday has been dedicated as National Engineers Week (EWeek) to increase public awareness and appreciation of the engineering profession and technology. Our first president began his career with agricultural, military, and land surveying skills leading to his later recognition as the nation's "first engineer."

Last year's EWeek summit on "The Business of Diversity" gathered more than 100 business, government, and engineering leaders in Washington to find ways to increase the number of women and minorities in today's engineering workforce. This year, February 20-26 will be filled with activities designed by engineers for future engineers. Through national and local activities,

students, women, and minorities are the focus of a campaign designed to interest them in a future in engineering.

"Discover E" is a program in which engineers visit K-12 classrooms to answer questions and interact with students in designing and building small projects. The Future City Competition is for seventh and eight grade students, and the National Engineering Design Challenge is a high school program involving teams of students, teachers, and engineer mentors. All of these activities are geared toward introducing students in an interactive, hands-on way to engineering basics and open their eyes to the engineering inventions that are part of their daily lives.

Hundreds of 3M engineers in Minneapolis/St. Paul and throughout the country will visit local schools. In Minneapolis, 3M is organizing a reception involving some of the minority engineering student groups at the University of Minnesota and other local colleges. There, 3M engineers will talk about career planning and other experiences. Also in Minneapolis, The Works, a museum for the entire family, makes learning about technology interesting, understandable, and fun. The Works was created in 1995 with many hands-on, minds-on exhibits about technology centered on kids ages 5-15.

Schools have traditionally focused their teachings on the body of scientific knowledge, oftentimes neglecting the process of discovery that engineers use to help create new advances for our modern world. With the support of sponsors like 3M and NASA, programs during EWeek integrate this process of discovery and the use of technology into mathematics, science, language arts, and other topics. I am a strong supporter of exposing our children to the world around them and hope this awareness will get them involved and spark their interest in the future of engineering.

EWeek also recognizes the countless engineers who have influenced nearly every aspect of our lives as a result of their dedicated work and the numerous technological advances they inspired. These contributions were honored at a luncheon in Washington on February 22 naming the 20 Greatest Engineering Achievements of the 20th Century. The winners were chosen for their impact on the quality of life in the 20th Century, and range from the harnessing of electricity to computer, telephones, and even air conditioning.

These are just a few of the many events planned across America this week to urge today's youth from all backgrounds to consider a career in engineering. As someone who, early in my career, worked for an engineering firm, I appreciate this effort tremendously. I wish to send out my thanks to everyone who helps make the EWeek events possible, and the field of engineering exciting and entertaining.●

#### APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to provisions of Public Law 106-79, appoints the following Senators to the Dwight D. Eisenhower Memorial Commission: The Senator from Hawaii (Mr. INOUE) and the Senator from Rhode Island (Mr. REED).

#### ORDERS FOR THURSDAY, FEBRUARY 24, 2000

Mr. COVERDELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 11:30 a.m. on Thursday, February 24. I further ask unanimous consent that on Thursday, 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 proceed to a vote on the Iran nonproliferation bill as under the previous order.

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

#### PROGRAM

Mr. COVERDELL. Mr. President, for the information of all Senators, the Senate will convene at 11:30 a.m. on Thursday and immediately proceed to a vote on final passage of H.R. 1883, the Iran nonproliferation bill. Following the vote, the Senate will resume consideration of S. 1134, which we have been discussing this afternoon, the education savings account bill. The Senate may also turn to any other legislative or Executive Calendar items cleared for action. Members are reminded that the first vote for tomorrow will occur at 11:30 a.m. and further votes are expected throughout the day.

#### ORDER FOR ADJOURNMENT

Mr. COVERDELL. Mr. President, if there is no further business to come before the Senate, I ask that the Senate stand in adjournment under the previous order following the remarks of Senator WYDEN of Oregon.

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

The PRESIDING OFFICER. The Senator from Oregon.

#### THANKING SENATOR COVERDELL

Mr. WYDEN. Mr. President, before he leaves the floor, I thank the Senator from Georgia for graciously expediting my opportunity to speak this afternoon. I know he has been dealing with a bill of great importance to him. I thank him for his thoughtfulness this afternoon.

#### PRESCRIPTION DRUGS AFFORDABILITY

Mr. WYDEN. Mr. President, for many months now I and other Members of

the Senate have been coming to the floor of this body to talk about the need for prescription drug coverage for our older people under Medicare.

We have been going through case histories of stories we have been hearing from our States. I have been describing the many older people I am hearing from in Oregon where after they are finished paying their prescription drug bill, they only have a couple hundred dollars for the rest of the month to live on.

I talked about instances where older people at home in Oregon are actually breaking their Lipitor pills. Lipitor is an important cholesterol-lowering drug. A lot of the seniors at home in Oregon can't afford to take these vital medicines, and they are actually having to break them in half in order to try to meet their health care needs. It is just outrageous to think that in a country as rich and as powerful and good as ours so many of our seniors walk on this economic tightrope.

I have come to the floor repeatedly over the last few months to talk about the need for bipartisan legislation that would address the needs of older people and secure important Medicare coverage for them.

I believe there is now genuine interest in reconciling the several bills before the Senate on this issue and a real opportunity to enact good legislation that can generate overwhelming support in this body and get the senior citizens of this country the help they need.

I have spoken, for example, with the Democratic leader, Senator DASCHLE, several times this week on this subject. He is very interested in bringing Senators with varying approaches on this issue together so we find the common ground to get help for older people.

I especially want to praise my colleague from Maine, our friend, Senator SNOWE. She and I have worked together for 14 months now—for more than a year starting with the budget resolution last year—to come up with a bipartisan plan to address this enormous need of older people.

Before I describe some of the new cases we are getting from seniors across the country, I will talk about some areas where I think there is common ground, the common ground I have heard Senator DASCHLE and others talking about in recent days. For example, I think Senators overwhelmingly believe there ought to be a significant role for marketplace forces in the delivery of this benefit. Certainly we differ about the details. We recognize that. I will not have the last word on this subject. I think virtually all Senators believe there ought to be a significant role for marketplace forces on this issue.

Second, I think there is overwhelming support for the proposition that this program ought to be a voluntary program. Senators and others have learned the lesson from the catastrophic care bill when a lot of the

older people in this country said: This is something I am already getting; I don't want it required; I think my money can be spent better elsewhere.

This time, I see Senators with varying political philosophies desiring to make sure this benefit is voluntary.

I think Senators overwhelmingly are interested in making sure this prescription drug coverage for older people is consistent with long-term Medicare reform. Many want to have comprehensive Medicare reform in this session of Congress. It may still be doable. I prefer going that route. If it is not possible to have comprehensive Medicare reform, I can tell Members that Senator SNOWE and I have teamed up over the last several months in an effort to make sure the prescription drug coverage program is consistent with long-term Medicare reform.

Finally, we want to make sure this benefit is adequately funded. In the last session of Congress, 54 Members of the Senate voted for the Snowe-Wyden amendment with respect to funding. We brought together Senator WELLSTONE, Senator ABRAHAM, Senator KENNEDY, Senator SANTORUM, Senators of all political philosophies of both political parties. Mr. President, 54 voted for allocating dollars for a prescription drug program. There is an opportunity now to find the common ground.

I want to describe a few of the accounts I have heard from at home that made it clear to me why it is so important that Senators come together and enact this program for the elderly. I heard recently from an elderly woman in Deschutes County in central Oregon. She is 83 years old; she lives at her sister's. She and her 79-year-old husband take 12 drugs to cover diabetes, hypertension, and a variety of ailments. Their sole source of income is Social Security. They spend nearly 25 percent of their income now on prescription drugs.

In Clatsop County, a retired couple in their seventies from Warrenton, OR, is spending \$450 a month on prescription drugs. If they have another increase in their supplemental insurance—and we all know the vast majority of seniors have these supplemental policies, and we all know in almost every instance they go up—this older couple has told me they will have to stop taking their medication altogether.

An older woman in Coos County, aged 75, getting by on only \$813 a month, is spending well over \$200 of that \$800 on prescription medicine.

I could go on with these cases. I have done that on more than 20 occasions in the last few months on the floor of the Senate, trying continually to bring before the body 3 or 4 cases that highlight how great the need is and how important it is we address this issue.

I believe the President of the United States wants this issue addressed in a bipartisan way. I have talked with him about this subject. He recognizes how urgent it is that seniors get this coverage. I think he made it clear in the

State of the Union Address he wants to work with Members of Congress of both political parties to get this done.

We have accomplished a great deal in the last 14 months. Fourteen months ago when Senator SNOWE and I brought this issue to the Budget Committee, I think we were essentially looked at as well-meaning souls but people who just did not have much of a prospect of seeing this go forward. Now we see the issue of prescription drug coverage as one of the two or three most pressing domestic issues. The American people are disgusted.

Our job now—and I commend Senator DASCHLE, but I know there are a number of colleagues on the other side of the aisle who feel the same way—is to reconcile these various bills. We want to make sure we build on private health insurance.

There has been a lot of talk in the last few days about whether private health insurance companies would be interested in this program. Having talked with them at home in Oregon, they are definitely going to be interested in this program because what we envisage doing, what essentially all the bills envisage doing, is having the Government pick up the prescription drug portion of a senior's private health insurance program. That is what is going to go on here. We will not set up new bureaucracies and redtape. We will be looking at an effort to have this program pick up the prescription drug portion of a senior's private health insurance. We want to use marketplace forces to the greatest possible extent. We want older people to have bargaining power in the marketplace.

Right now, Medicare does not cover prescriptions, but the older person who walks into a pharmacy perhaps in Rhode Island, Oregon, or any other part of the country and does not have prescription drug coverage, in effect, has to subsidize the big buyers of prescription medicine. If, for example, you are a younger worker and have the good fortune of having a company health plan that covers prescription drugs, that company plan can go out and negotiate a discount. The senior, without any coverage, walks into the pharmacy, doesn't get that same rate, and in effect has to actually subsidize those who do have the good fortune of having a health plan where they can have some real bargaining power. That is not right. Vulnerable seniors deserve a fair shake. They deserve to be able to secure their medicine at an affordable price.

I believe the cases I brought to the floor of the Senate tonight again show how urgent the need is for this benefit. I believe there are colleagues on both sides of the aisle who want to reconcile the various bills that have been introduced on this issue. I have teamed up with Senator SNOWE on this matter now for 14 months. We don't think we have the last word on this issue. We want to work with colleagues to find the common ground, to get the help to

older people that they deserve. Senator DASCHLE has told me a number of times recently that is what he wants to do. I believe colleagues on the other side of the aisle wish to do so as well.

The hour is late. I do not want to keep the Senate in any longer than necessary, but I intend to keep coming back to the floor, bringing to the Senate these truly poignant cases of how great the need is in this country to cover prescription drug costs of the Nation's older people.

I look forward to working with the Presiding Officer of the Senate, a new Member of this body, and one from a very special family, in my opinion, because his father was so kind to me as a new Senator. I know he shares many of the same concerns I have, that we address this issue in a bipartisan fashion.

I am going to keep coming back to the floor of the Senate talking about why this is so important and why it is so important for the Senate to bring these various bills together.

With that, I yield the floor.

### ADJOURNMENT UNTIL 11:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 11:30 a.m. on Thursday, February 24, 2000.

Thereupon, the Senate, at 6:20 p.m., adjourned until Thursday, February 24, 2000, at 11:30 a.m.

### NOMINATIONS

Executive nominations received by the Senate February 23, 2000:

#### DEPARTMENT OF THE INTERIOR

THOMAS M. SLONAKER, OF ARIZONA, TO BE SPECIAL TRUSTEE, OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS, DEPARTMENT OF THE INTERIOR, VICE PAUL N. ROMAN.

#### DEPARTMENT OF THE TREASURY

MICHELLE ANDREWS SMITH, OF TEXAS, TO BE AN ASSISTANT SECRETARY OF THE TREASURY, VICE HOWARD MONROE SCHLOSS, RESIGNED.

#### DEPARTMENT OF STATE

E. ASHLEY WILLS, OF GEORGIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MALDIVES.

#### DEPARTMENT OF JUSTICE

LORETTA E. LYNCH, OF NEW YORK, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF NEW YORK FOR THE TERM OF FOUR YEARS VICE ZACHARY W. CARTER, RESIGNED.

#### IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 12203:

#### To be rear admiral (lower half)

CAPT. PETER L. ANDRUS, 0000  
CAPT. STEVEN B. KANTROWITZ, 0000  
CAPT. JAMES M. MCGARRAH, 0000  
CAPT. ELIZABETH M. MORRIS, 0000

#### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK (\*)) UNDER TITLE 10, U.S.C., SECTIONS 624, 628, AND 531:

#### To be major

TERRANCE A. HARMS, 0000

\* FREDERICK E. SNYDER, JR., 0000  
KRISTA K. WENZEL, 0000

#### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

#### To be commander

STAN M. AUFDERHEIDE, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

#### To be commander

MICHAEL T. BOURQUE, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

#### To be commander

MARIAN L. CELLI, 0000  
ELIZABETH B. GASKIN, 0000  
JEANNE Y. LING, 0000

#### To be lieutenant commander

MIGUEL A. FRANCO, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

#### To be lieutenant commander

WILLIAM R. MAHONEY, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

#### To be lieutenant commander

STEPHEN R. SILVA, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVAL RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

#### To be captain

GRAEME ANTHONY BROWNE, 0000

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

#### To be commander

JOHN P. LABANC, 0000

#### To be lieutenant commander

DAN C. HUNTER, 0000  
JERRY K. STOKES, 0000

#### To be lieutenant

JOHN L. GRINOLD, 0000  
JAMES P. INGRAM, 0000  
JAMES P. LESIAK, 0000  
EDWARD P. NEVILLE, 0000  
LONDON C. SMITH, 0000  
MICHAEL R. TASKER, 0000

#### To be lieutenant (junior grade)

CRAIG D. ARENDT, 0000  
ROBERT E. ASMANN, 0000  
WILLIAM B. BANGERT, 0000  
CHRISTOPHER F. BEAUBIEN, 0000  
KEVIN S. BROWN, 0000  
JERRY C. CROCKER, 0000  
NICHOLAS A. CZARUK, 0000  
GARY L. DURDEN, 0000  
PATRICK W. FINNEY, 0000  
BRET M. GRABBE, 0000  
ROBERT C. HICKS, 0000  
KATHRYN E. HITCHCOCK, 0000  
ADAM R. HUDSON III, 0000  
ROBERT H. KELLER, 0000  
JOHN R. MARTIN, 0000  
RICHARD T. MCCARTY, 0000  
SCOTT W. MCGHEE, 0000  
THOMAS D. MCKAY, 0000  
STEPHEN E. MONGOLD, 0000  
TODD D. MOORE, 0000  
TODD J. NETHERCOTT, 0000  
MATTHEW S. PEDERSON, 0000  
DEREK J. PURDY, 0000  
EDWARD J. ROBLED, 0000  
ADAM SCHNEIDER, 0000  
FORREST S. YOUNT, 0000

#### IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

#### To be colonel

JAMES M. DAPORE, 0000  
RICHARD PARKER, 0000  
MICHAEL J. WILSON, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 1552 OR 12203:

#### To be colonel

JAMES W. HUTTS, 0000  
TIMOTHY J. HYLAND, 0000

BRONISLAW A. ZAMOJDA, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY AND FOR REGULAR APPOINTMENT IN THE MEDICAL SERVICE CORPS (MS) AND, MEDICAL CORPS (MC), AS INDICATED, UNDER TITLE 10, U.S.C., SECTIONS 531, 624, AND 3064:

#### To be lieutenant colonel

PAUL R. HULKOVICH, 0000 MS

#### To be major

MICHAEL A. WEBER, 0000 MC

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY IN THE MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

#### To be major

SCOTT R. ANTOINE, 0000 MC  
VINCENT G. BECKER, 0000 MC  
BAL R. BHULLAR, 0000 MC  
JON M. BRUCE, 0000 MC  
SELLAS P. COBLE, 0000 MC  
THOMAS R. COOMES, 0000 MC  
MARC D. DAVIS, 0000 MC  
JAMES M. DITOLLA, 0000 MC  
JASON R. DITTRICH, 0000 MC  
CHARLES R. DOWNEY, JR., 0000 MC  
TRAVIS A. DUGAN, 0000 MC  
SAMUEL J. EALLONARDO III, 0000 MC  
JONATHAN C. EUGENIO, 0000 MC  
TODD A. FARRER, 0000 MC  
EDMUND W. HIGGINS, 0000 MC  
PHILIP G. HIRSHMAN, 0000 MC  
CHEUK Y. HONG, 0000 MC  
ELIZABETH D. KASSAPIDIS, 0000 MC  
DAVID C. KOTTRA, 0000 MC  
ALEXANDER A. KUCEWICZ, 0000 MC  
ALEX LOBERARODRIGUEZ, 0000 MC  
MATTHEW J. MARTIN, 0000 MC  
VINCENT M. MESSBARGER, 0000 MC  
TODD A. MILLER, 0000 MC  
CAROLYN Y. MILLERCONLEY, 0000 MC  
MARY V. MIRTO, 0000 MC  
CHARLES A. MULLINS, 0000 MC  
JOHN F. NICHOLSON, 0000 MC  
SHAWN D. PARSLEY, 0000 MC  
ROBERT L. RICHARD, 0000 MC  
PAUL E. RIECK, 0000 MC  
BRIAN A. SAUTER, 0000 MC  
FREDERICK K. SWIGER, 0000 MC  
SHAWN A. TASSONE, 0000 MC  
ALBERT W. TAYLOR, 0000 MC  
WILLIAM WARLICK, 0000 MC  
DAVID C. WELLS, 0000 MC  
WARREN T. WITHERS, 0000 MC  
PATRICK J. WOODMAN, 0000 MC

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES ARMY NURSE CORPS (AN), MEDICAL CORPS (MC), DENTAL CORPS (DB), MEDICAL SPECIALIST CORPS (SP), VETERINARY CORPS (VC), AND JUDGE ADVOCATE GENERAL'S CORPS (JA) UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

#### To be colonel

MARTHA C. LUPO, 0000 AN  
INDIRA WESLEY, 0000 MC  
JOHN M. WESLEY, 0000 MC

#### To be lieutenant colonel

KAREN L. COZEAN, 0000 SP  
MICHAEL E. FARAN, 0000 MC  
TODD R. GRANGER, 0000 DC  
WARREN S. MATHEY, 0000 VC  
CHRISTINE M. PIPER, 0000 AN  
PHILLIP R. PITTMAN, 0000 MC  
DAVID SCHUCKENBROCK, 0000 VC  
CALVIN Y. SHIROMA, 0000 DC  
RAY N. TAYLOR, 0000 DC

#### To be major

SUSAN C. ALTENBURG, 0000 AN  
MORGAN L. BAILEY, 0000 AN  
ELIZABETH A. BOWIE, 0000 AN  
WILFREDO CORDERO, 0000 AN  
DEBRA R. COX, 0000 AN  
SYLVIA R. DENNIS, 0000 AN  
MARGARET L. DIXON, 0000 AN  
JOANN S. DOLEMAN, 0000 AN  
ANN M. EVERETT, 0000 AN  
DOROTHY F. GALBERTH, 0000 AN  
CHRISTINE D. GARNER, 0000 AN  
ROBERT C. GERLACH, 0000 DC  
BENNY F. HARRELL, 0000 AN  
WALT HINTON, 0000 AN  
EMMONS V. HOLBROOK, 0000 AN  
BARBARA M. KELTZ, 0000 AN  
DANIEL O. KENNEDY, 0000 AN  
DOROTHY J. LEGG, 0000 AN  
PATRICIA A. MERRILL, 0000 AN  
JOSEPH M. MOLLOY, 0000 SP  
DEBRA A. RAMP, 0000 AN  
LUE D. REEVES, 0000 AN  
CATHERINE F. RYAN, 0000 AN  
ROBERT AN S. VANCE, 0000 AN  
ADORACION G. SORIA, 0000 AN  
KAREN A. SPURGEON, 0000 AN  
BENJAMIN STINSON, 0000 AN  
PALACESTINE TABSON, 0000 AN  
IRENE E. WILLIFORD, 0000 AN

*To be captain*

ERIC D. AGUILA, 0000 MS  
 DEBORAH ALBRECHT, 0000 MS  
 ELENA ANTEDOMENICO, 0000 MS  
 JENNIFER BAGER, 0000 MS  
 TROY R. BAKER, 0000 MS  
 JEFFREY A. BANKS, 0000 MS  
 THAD J. BARKDULL, 0000 MS  
 PATRICK A. BARRETT, 0000 JA  
 SANAZ BAYATI, 0000 MS  
 JEREMY T. BEAUCHAMP, 0000 MS  
 AMIT K. BHAVSAR, 0000 MS  
 ROBERT E. BLEASE, 0000 MS  
 ANDREW S. BOSTAPH, 0000 MS  
 JONATHAN K. BRANCH, 0000 AN  
 ANNAMAE CAMPBELL, 0000 AN  
 DANIEL W. CARLSON, 0000 MS  
 MARK G. CARMICHAEL, 0000 MS  
 AMBROSE M. CARROLL, 0000 AN  
 MICHAEL E. CLARK, 0000 AN  
 CORINNE M. CONROY, 0000 MS  
 JOHN H. CRADDOCK, 0000 JA  
 LISA E. CROSBY, 0000 AN  
 FREDERICK DAVIDSON, 0000 AN  
 DANNY R. DENKINS, 0000 AN  
 DAVID H. DENNISON, 0000 MS  
 RONALD D. DESALLES, 0000 AN  
 THOMAS E. ELLWOOD, 0000 MS  
 JODY L. ENNIS, 0000 AN  
 SUSAN K. ESCALLIER, 0000 JA  
 STEPHANIE FOSTER, 0000 MS  
 TRAVIS C. FRAZIER, 0000 MS  
 DENNIS J. GEYER, 0000 MS  
 MICHAEL A. GLADU, 0000 AN  
 BRIAN L. GLADWELL, 0000 MS  
 BLONDELL S. GLENN, 0000 AN  
 JAMES W. GRAHAM, 0000 MS

SHERI K. GREEN, 0000 MS  
 WILLIAM GRIEF, 0000 MS  
 BRITNEY GRIMES, 0000 MS  
 MICHAEL HAMILTON, 0000 MS  
 KWASI L. HAWKS, 0000 JA  
 BRIAN A. HEMANN, 0000 MS  
 JEFFREY HIRSCH, 0000 MS  
 RICHARD W. HUSSEY, 0000 MS  
 JERRY K. IZU, 0000 MS  
 EDGAR JIMENEZ, 0000 AN  
 DAVID E. JOHNSON, 0000 MS  
 JEREMY D. JOHNSON, 0000 MS  
 SAMUEL L. JONES, 0000 AN  
 RYAN J. KENEALLY, 0000 MS  
 JULIE S. KERR, 0000 MS  
 JULIE M. KISSEL, 0000 MS  
 STUART R. KOSER, 0000 AN  
 MICHAEL L. KRAMER, 0000 JA  
 MICHAEL KRASNOKUTSKY, 0000 MS  
 GREGORY T. LANG, 0000 MS  
 JENNIFER L. LAY, 0000 MS  
 JOHN P. LAY, 0000 MS  
 WALTER S. LEITCH, 0000 MS  
 ANDREW H. LIN, 0000 MS  
 BRIAN F. MALLOY, 0000 MS  
 JASON D. MARQUART, 0000 MS  
 LAURA N. MARQUART, 0000 MS  
 SCOTT F. MCCLELLAN, 0000 MS  
 KARIN L. MCCLEROY, 0000 MS  
 JENNIFER H. MCGEE, 0000 JA  
 VALENCIA B. MEZA, 0000 MS  
 STEVEN C. MILLER, 0000 AN  
 BEVERLY J. MORGAN, 0000 AN  
 PHILIP S. MULLENIX, 0000 MS  
 SEAN W. MULVANEY, 0000 MS  
 KEVIN M. NAKAMURA, 0000 MS  
 KENNETH J. NELSON, 0000 MS  
 DUC H. NGUYEN, 0000 JA

JOHN P. OBRIEN, 0000 AN  
 JASON A. PATES, 0000 MS  
 THERESA A. PECHATY, 0000 AN  
 SYLVIA F. PEREZ, 0000 AN  
 JOSE PEREZVELAZQUEZ, 0000 AN  
 AMERICA PLANAS, 0000 AN  
 RICHARD D. REED, 0000 MS  
 CAROLYN RICHARDSON, 0000 AN  
 ERIC R. RICHTER, 0000 MS  
 CHRISTOPHER RIVERA, 0000 AN  
 TERRY W. ROBERTS, 0000 AN  
 KEVIN K. ROBITAILLE, 0000 JA  
 MATTHEW M. RUEST, 0000 AN  
 HARLAN I. RUMJAHN, 0000 MS  
 MAUREEN A. SALAFAI, 0000 AN  
 JOHN D. SCHABER, 0000 MS  
 PAULA I. SCHASBERGER, 0000 JA  
 JOHN K. SHIN, 0000 JA  
 JAMES E. SIMMONS, 0000 AN  
 NETTA F. STEWART, 0000 AN  
 NEIL STOCKMASTER, 0000 MS  
 JUANITA STOKES, 0000 SP  
 BURTON L. STOVER, 0000 AN  
 CHRIS A. STRODE, 0000 MS  
 DREW A. SWANK, 0000 JA  
 DOUGLAS M. TILTON, 0000 MS  
 EVELYN TOWNSEND, 0000 AN  
 GEORGE VONHILSHEIMER, 0000 MS  
 JEAN E. WARDRIP, 0000 MS  
 CHRISTOPHER WARNER, 0000 MS  
 SYLVIA V. WATERS, 0000 MS  
 THOMAS M. WERTIN, 0000 MS  
 DAVID A. WESTON, 0000 AN  
 RONALD L. WHITE, 0000 MS  
 GRACE F. WIETING, 0000 AN  
 RONALD V. WILSON, 0000 AN  
 GARY H. WYNN, 0000 MS  
 CHARLES L. YOUNG, 0000 JA