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## House of Representatives

The House was not in session today. Its next meeting will be held on Monday, September 18, 2000, at 12:30 p.m.

## Senate

FRIDAY, SEPTEMBER 15, 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:

The Psalmist draws our minds and hearts to God:

*O Lord, our Lord, how excellent is Your name in all the earth. What is man that You are mindful of him and the son of man that You visit him? You have created him a little lower than the angels and crowned him with glory and honor. You have given him dominion over the work of Your hands.—Psalm 8.*

Gracious God, ultimate Sovereign of this Nation and Lord of our lives, we are stunned again by Your majesty and the magnitude of the delegated dominion You have entrusted to us. We respond with awe and wonder and with renewed commitment to be servant leaders. In a culture that often denies Your sovereignty and worships at the throne of the perpendicular pronoun, help us to exemplify the greatness of servanthood. You have given us a life full of opportunities to serve, freed us from self-serving aggrandizement, and enabled us to live at full potential for Your glory. We humble ourselves before You and acknowledge that we could not breathe a breath, think a thought, make a sound decision, or press on to excellence without Your power. By Your appointment we are here doing the work You have given us to do, called to serve this great Nation. You alone are the one we seek to please. We have been blessed to be a blessing. Grant us grace and courage to

give ourselves away to You and to others with whom we are privileged to work in the great Senate family. In Your holy name, Amen.

### PLEDGE OF ALLEGIANCE

The Honorable TIM HUTCHINSON, a Senator from the State of Arkansas, 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 PRESIDING OFFICER (Mr. GORTON). The Senator from Arkansas is recognized.

### SCHEDULE

Mr. HUTCHINSON. Today the Senate will resume consideration of H.R. 4444, the China PNTR legislation. All amendments have been disposed of, and therefore the bill is open for general debate only. Those Senators who are interested in making statements as in morning business are also encouraged to come to the floor during today's session.

Mr. President, as previously announced, there will be no votes today or during Monday's session. The first vote of next week will be final passage of the PNTR legislation at 2:15 on Tuesday.

I ask unanimous consent Senator CRAIG be recognized for up to 30 min-

utes as in morning business at some point today and that on Monday at 2 p.m. the Senate resume consideration of H.R. 4444.

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

Mr. HUTCHINSON. I thank my colleagues for their attention.

### RESERVATION OF LEADER TIME

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

### MEASURE PLACED ON THE CALENDAR—S. 3046

Mr. HUTCHINSON. Mr. President, I understand there is a bill at the desk due for its second reading.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 3046) to amend title 11 of the United States Code, and for other purposes.

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

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

### TO AUTHORIZE EXTENSION OF NONDISCRIMINATORY TREATMENT TO THE PEOPLE'S REPUBLIC OF CHINA

The PRESIDING OFFICER. Under the previous order, the Senate will now

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



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resume consideration of H.R. 4444, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 4444) to authorize extension of nondiscriminatory treatment (normal trade relations treatment) to the People's Republic of China, and to establish a framework of relations between the United States and the People's Republic of China.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. HUTCHINSON. Mr. President, I would like to make a few comments on the legislation pending before the Senate on the permanent normal trade relations status for China. As announced, we will be having the final vote on this legislation on Tuesday. We had an extended debate on this issue. I think it has been a healthy debate and a good debate for the American people. As I announced earlier, we have disposed of all amendments. We have had amendments on almost every conceivable subject, everything from the environment to labor issues in China, to abortion issues. Of course, none of those amendments, I think, has received more than 33, 34 votes. It is clear this legislation is going to pass and is going to pass overwhelmingly.

Historically, every time there was a vote in the House of Representatives, when I served in the House, and on the occasions in which there were sense of the Senates, I have voted against granting annual most-favored-nation status to China, that which we now call normal trade relations. I want to explain my thinking on this issue.

On May 24, 2000, as the House of Representatives approved permanent normal trade relations status for China, Pastor Wang Li Gong celebrated his 34th birthday by sewing footballs in a forced labor camp in Tianjing. His hands are injured, and they bleed every day because of the work. When Pastor Wang is not trying to fulfill high production quotas, he is allowed only a few hours of sleep and many more hours of torture. He has been under administrative detention since last November for the crime of organizing a Christian gathering in his home.

But Pastor Wang is not the only target of persecution. In its annual report on human rights, our State Department documents just about every violation of international norms in China. Religious persecution to crackdowns on political dissent, to torture, to forced labor, to trafficking of women and children—it is all happening in China. It is not getting better. At least, if you view it in terms of the last few years, if you go back to the Cultural Revolution, you can find there have been fits and starts of improvement, but as you look at the State Department's reports over the last few years, the situation is not improving.

In the area of religious persecution, the State Department, in its Annual Report on International Religious Freedom, notes:

The Government's respect for religious freedom deteriorated markedly, especially

for the Falun Gong and Tibetan Buddhists, and the Government's repression and abuses continue during the first 6 months of 2000.

That is, of course, as far as the report extends, is the first 6 months of this year. Its conclusion is:

Respect for religious freedom deteriorated markedly.

At the very time the House of Representatives was voting for PNTR, and during the process by which that debate has gone on in the Senate, the conclusion of our own Government is that "religious freedom has deteriorated markedly."

The report goes on to note that:

The Standing Committee of the National People's Congress adopted a decision to ban "cults," including the Falun Gong and other religious groups.

At the time the Chinese People's Congress adopted that law banning religious cults, I expressed concern to my colleagues in the Senate that this new law would be very broadly applied. It is bad enough to give a government the power to define what is a cult and what is not, what is acceptable religious belief and what is not acceptable religious belief, but this crackdown was unprecedented. There had been serious crackdowns in the past. At that time, I introduced a resolution in this Senate expressing my concern and the concern of the Congress that this crackdown, this harsh crackdown on the Falun Gong, would only be a beginning. I predicted the so-called cult law would be widely applied.

My worst fears have come true. The law has been applied extremely broadly to other groups, including Christians. On August 23, 2000, Chinese police arrested 130 Christians in Henan Province. These Christians are from the Fangcheng church, a popular house church movement. The Chinese Government considers them a cult, not because of what they believe, not because of their teachings, but because they are not registered with the State; they are not under the control of the Chinese Government. Their leaders, arrested a year ago, are suffering for their faith in labor camps, a penalty under the so-called anti-cult law.

The proponents of PNTR have argued that, No. 1, increased trade will result not only in an increased export of American products to China but also in the export of American values, including human rights and individual freedom.

No. 2, they have asserted that the failure to grant PNTR would result in isolating China and driving the Chinese regime to even more repressive tactics.

No. 3, they have insisted that entry into the WTO will ensure that Chinese misbehavior can be addressed and that Chinese violations would be dealt with under the World Trade Organization.

No. 4, they have further asserted that the creation of a human rights monitoring commission in this legislation will guarantee the ongoing monitoring of human rights conditions in China.

In my opinion, these arguments have merit. Also, the advocates of PNTR

are, in my opinion, sincere. I would never question their motivations. I would never question that, in fact, they believe in all sincerity that this is a better route or a real route to improving human rights conditions in China.

I very much want to vote for permanent normal trade relations for China. It will have great economic benefits in the United States; potentially it does. It certainly has great economic benefits to the State of Arkansas. Arkansas is the No. 1 rice-producing State in the Nation. We are looking for markets. We want to sell that rice, whether it is in China, whether it is in Cuba, or wherever it is in the world.

Some have analyzed the cotton industry will be the biggest beneficiary under PNTR. Arkansas is in the top tier of States in the production of cotton.

Arkansas is the leading State in poultry production. When I visited China and went to the two Wal-Marts that are in China today—a Sam's store and a Wal-Mart—I was surprised to see the No. 1 product being sold is chicken feet. It is a delicacy, a speciality in China. We in Arkansas grow poultry. We want to make every use of it, and China is a good market for it. We have major retailers in Arkansas, and the prospects of new markets emerging in China are very appealing to retailers.

I very much wanted to vote for this bill. It is in many ways in the economic interest of Arkansas to see this go forward and, in fact, it is going to pass.

In addition, the human rights community, while generally opposing PNTR, is not of one voice. It is not of a monolithic opinion. Not everybody in the human rights community believes that PNTR should go down. Some, in fact, accept these arguments as being meritorious, that increased trade will bring about liberalization in China, greater democratization, and eventually improvement in human rights. Good people can and do disagree. That is the case when it comes to whether or not China should receive from us permanent normal trade relations.

I hope and pray the arguments that have been made by the PNTR proponents are all realized, that they are right on every point. I hope when they express their conviction that the best way to improve human rights in China is to see increased contact with the outside world, to see increased trade, to be exposed to new ideas, to see an expansion of the Internet, that all of those arguments are realized and realized soon, not in the long term but in the short term.

We may eventually see political liberalization in China. I think we will in the long term. But we should not assume PNTR or the WTO will be the main driver of this change. While we hope for change in the long run, I do not believe we can remain silent about Chinese abuses in the short run. We must not ignore the lessons of history.

I listened with great interest to much of the debate on the floor over the last 2 weeks, particularly the distinguished Senator from New York, in whom I have the greatest admiration and respect for his scholarship and his mind, as he went through some of the historic lessons of China and talked of improvements in China's human rights record. In one sense, that is certainly true. It is better now than it was during the Cultural Revolution, but let's not be selective in our recounting of recent Chinese history.

During the winter months of 1978 and 1979, thousands of people in Beijing posted their written complaints and protests about the ills of China on a stretch of blank wall on Chang'an Avenue. This voice of protest, which became known as the democracy wall movement, was muzzled as the Chinese Government imprisoned its leaders such as Wei Jingsheng.

That same year of the crackdown on the democracy wall movement, the U.S. established diplomatic relations with China and signed a bilateral trade agreement. Deng Xiaoping introduced a series of economic and legal reforms, and international protests against repression in China were drowned out by the promise of free-market initiatives. Twenty-one years since the United States signed a bilateral trade agreement with China, we have only seen increasing political repression and religious persecution.

Harvard professor Dani Rodrik expressed this sentiment when he said:

I would not assume, as many advocates of normalized trade relations with China have done, that expanded trade will necessarily produce greater democracy. . . . If the Chinese leadership is truly interested in democratization, they do not need the World Trade Organization to help them achieve it. . . . There are no human rights prerequisites for WTO membership. Even if the Chinese Government were to become more repressive, existing WTO rules would not allow the U.S. and other countries to withdraw trade privileges. The pressure would have to be applied outside the WTO context.

What he is saying is if we cede the main tool we have for applying this pressure, which has been the annual MFN debate, by passing the PNTR package, we are left with a toothless Levin-Bereuter commission. This commission proposal, which is included in the PNTR package we will be voting on, has been sold as a Helsinki Commission for China. As a Helsinki Commissioner, I know this proposed commission lacks a cornerstone, the Helsinki Final Act, which commits OSCE member nations to certain human rights standards. Without that foundation, we will simply be duplicating the efforts of the U.S. State Department's Bureau of Democracy, Human Rights, and Labor, and we will find out from this commission what we already know: Human rights in China are and at least for the foreseeable future will remain deplorable.

It would be wrong for me not to recognize the economic arguments for

granting PNTR to China, and I have tried to acknowledge that. I believe business and agriculture can determine their best interests, but here, too, we should recognize that inflated expectations could quickly be punctured by an unruly China. For all the anticipation and excitement in the business community over PNTR, we will face a recalcitrant trading partner in China at the WTO. We will see the dispute settlement system and the very functioning of the WTO put to a great test.

In the final analysis, though I know PNTR is going to pass and though I realize there are going to be some very significant economic benefits to our country, and while I hope the best face and the great expectations that have been propounded for this legislation will be realized, I have concluded that I must vote no on this because the words in the most recent State Department report on China keep echoing in my ears: "The Government's respect for religious freedom deteriorated markedly." It is the most recent report—and I cannot escape the judgment that it has not gotten better—that the conditions in China have deteriorated markedly.

In ancient Rome, the Roman Government did not really care what Roman citizens believed. They did not care what their religious faith was or necessarily if they even had a religious faith. What they did care about was the supremacy of the Roman Government over its people and over all religions. Effectively, they said to their citizens: You can believe anything you want so long as you will affirm that Caesar is lord. It was not the beliefs of Christians that got them in trouble in the Roman persecutions; it was the fact they would not make that affirmation that the Roman Government was supreme and that Caesar was lord.

It seems to me that is a clear analogy to the conditions in China today. There is religious freedom in China only insofar as every religious group in China will affirm that the Chinese Government is ultimately supreme. To the extent that any religious group defies that ultimate standard, they then face intense persecution.

So for those reasons I will cast a "no" vote. I suspect that there will be 20 to 25 Members who will cast that same vote. I hope for the best outcome for PNTR, but for my own conscience I will cast a "no" vote next week.

Mr. President, I yield the floor.

#### PERMANENT NORMAL TRADE RELATIONS WITH CHINA

Mr. FITZGERALD. Mr. President, I rise today to speak in favor of granting permanent normal trade relations to the People's Republic of China. I support this move not only because of the tremendous economic benefits that will flow to the U.S. economy—and to my home state of Illinois—as a result of Chinese WTO membership; I also support PNTR because I believe that a

China that is engaged with the international community—and which is reforming and privatizing its economy at home—will be a more stable and a more democratic China, with improved human rights at home and a better relationship with its neighbor, Taiwan. PNTR will be an unqualified gain for both the United States and China; we must not allow this bill to fail.

I first remind my fellow Senators of the many and impressive market openings that the Chinese agreed to as a condition for their entry into the World Trade Organization. The concessions won by U.S. negotiators are simply breathtaking:

Average tariffs for U.S. agricultural products will drop from 22% to 17.5% by 2004. For beef, grapes, wine, poultry, and pork, average tariffs will fall from 31.5% to 14.5%. One in every three American acres that is planted is growing food for overseas markets. U.S. farm exports to China last year totaled \$1 billion, making China the eighth largest market for American farmers. And China will account for nearly 40% of all future growth of U.S. farm exports.

Also under the bilateral agreement, average tariffs for U.S. manufactured goods exported to China will fall from 24.6% to 9.4% by 2005.

But even more important than the change in formal trade barriers are the many fundamental market-opening changes that China has agreed to. Under our 1979 agreement with the Chinese—the current foundation for U.S. trade with the China—many nontariff barriers block entry of U.S. goods into China. These barriers consist of import licensing requirements, registration and certification requirements, and arbitrary technical and sanitary standards. Further, U.S. manufacturers that operate in China often are required to transfer technology to Chinese companies, use local materials, and to export a portion of their products abroad. Finally, many of these requirements are unpublished and are imposed arbitrarily. It is difficult for U.S. companies to know what restrictions will apply to their activities.

Under our Bilateral Agreement with the Chinese, China will publish its rules and make them available to U.S. companies. It will eliminate technology-transfer, local-content, and export requirements. And it will impose only safety and sanitary standards that are scientifically based.

China has also agreed to impressive changes in many areas of business where U.S. companies currently are effectively excluded. For example, in the area of:

Distribution rights: U.S. firms currently cannot run their own distribution networks in China. Under the bilateral agreement, U.S. companies for the first time will be allowed to deliver their goods directly to retailers in China.

Retailing: Under the bilateral agreement, U.S. companies will be able to

open their own stores in anywhere in China without restriction. U.S. companies will be able to maintain majority ownership of stores, and will be able to sell U.S. products. The U.S. retailing industry is without peer—one-fifth of the U.S. workers work in retailing, and Americans have perfected the trade. But if we don't enact PNTR and enter the Chinese retailing market, foreign firms—such as the French conglomerate Carrefour—will take our place.

Telecommunications and high technology: Foreign companies are currently prohibited from supplying telecommunications service in China. But as a WTO member, China will join the Information Technology Agreement, and will eliminate all tariffs on computers, telecommunications equipment, and semiconductors. China will also become a party to the Basic Telecommunications Agreement, adopting cost-based pricing, interconnection rights, and creating an independent regulatory authority. Foreign companies will be allowed to provide e-mail, voice-mail, on-line information and data-base retrieval, electronic data interchange, and paging services. Foreign companies will be allowed to hold a 30% share in Chinese service suppliers, eventually going up to 50%. For cell-phone services, foreign companies' stake will be allowed to go from 25% to 49%.

Finally, it bears emphasis that the significance of all these changes is magnified by the sheer size of the Chinese market. America is the world's largest exporter, and China will soon be the world's largest purchaser of consumer goods and services. In less than five years, China will have more than 230 million middle-income consumers, with retail sales exceeding \$900 billion annually. Gaining access to this enormous market is critical to American business and the future health of the U.S. economy. PNTR will provide that access. The Institute for International Economics estimates that the increase in world export of goods to China that will result from China's entry to WTO will total \$21.3 billion—and the immediate increase in U.S. exports to China will be \$3.1 billion. Goldman Sachs has estimated that by 2005, passage of PNTR will increase U.S. exports to China by \$13 billion. This is, quite simply, an opportunity that the United States must not pass up.

I also wish to emphasize today the benefits of PNTR to my home State of Illinois. Exports to China from Illinois totaled \$901 million in 1998, up 24% from 1993. China was the tenth largest export market for Illinois in 1998. And Illinois' exports to China are broadly diversified, covering almost every major product category. A few areas stand out:

PNTR represents a tremendous opportunity for Illinois farmers. In 1997, Illinois exported \$3.7 billion in agricultural goods, ranking third among all States.

Soybeans: Illinois is one of America's principal producers of soybeans. Under

the bilateral agreement, tariffs will be set at 3% for soybeans and 5% for soybean meal, with no quota limits. For soybean oil, quotas will be eliminated by 2006; the in-quota tariff (the only tariff that will remain after 2006) will be reduced to 9%. Soybean oil exports to China could double within five years after the United States enacts PNTR.

Corn: Illinois is also one of this Nation's main corn-producing States. In 1998, China imported less than 250,000 metric tons of corn from all countries. But under the bilateral agreement, the quota on corn imported to China will immediately rise to 4.5 million metric tons, climbing to 7.2 million tons by 2004. Corn within the quota will be subject to only a 1% tariff. Corn exports to China could increase a hundred-fold by 2004.

Beef and pork: Illinois is the fourth largest State in pork production. Frozen pork cuts and pork offal tariffs will fall from 20% to 12%. China's tariff on frozen beef cuts will drop from 45% to 12%, and chilled beef tariffs will go from 45% to 25% by 2004. There will be no quota, and China has agreed to accept all pork and beef from the United States that is certified as wholesome by the USDA.

Fertilizers: All quotas on importation of fertilizer into China will be eliminated by 2002, and tariffs will decline from 6% to 4%.

The insurance industry is not often discussed in the debate over PNTR, but it is important to my home State of Illinois. 140,000 jobs depend on the insurance industry in Illinois. And for all the talk we hear from opponents of PNTR about trade deficits and jobs lost as a result of trade, it is worth emphasizing that the U.S. actually has a trade surplus in global trade in services such as insurance. The bilateral agreement will help us widen that surplus. China's market currently is almost completely closed to foreign insurers; most consumers may choose only among a few state-run monopolies. The bilateral agreement will throw open the Chinese market for insurance and reinsurance. With 1.2 billion people, China represents the largest insurance market in the world—a market that is significantly underinsured at present. From 1993–98, however, growth in the Chinese insurance market averaged almost 30% a year. Under the WTO agreement, foreign insurers will be allowed to offer group, health, and pension lines of insurance, which represent about 85% of total premiums. China will also set clear licensing standards—with no economic-needs tests or quantitative limits on the number of licenses issued—and will allow foreign insurers to sell their products throughout the country, directly to Chinese consumers. The bilateral agreement will also serve as an excellent model for future WTO negotiations on insurance trade. Although only two U.S. insurance companies currently are allowed to sell any insurance in China, over 20 have recently set up offices

there, and are poised to move quickly into the Chinese market. PNTR will be a boon to the U.S. insurance industry and will generate high-paying jobs here in America.

Under the bilateral agreement, average tariffs on construction equipment will fall from 13.6% to 6.4%. China is an enormous potential growth market. According to the World Bank, China will need to spend an estimated \$750 billion in new infrastructure over the next decade—increasing demand for earth-moving equipment. Illinois firms are well-placed to compete for this booming market.

But all of these benefits will not come to the United States automatically. We must grant PNTR to China. Some opponents of PNTR have claimed that we need not give up annual review of China's NTR status, that China would join the WTO anyway. They are half right. China's accession to the WTO only requires a two-thirds vote of all members—even a U.S. vote against China would not block their entry at this point. However, once China does enter the WTO, the United States will be required to comply with all WTO rules with regard to China in order to enjoy the benefits of Chinese membership in that organization. And the main WTO rule is that all members must extend equal and unconditional trading rights to each other. This means that we must extend Normal Trading Relations to China unconditionally. If we do not grant China PNTR before it enters the WTO, China would be able to challenge the U.S. refusal—and the United States would be required to invoke article XIII of the WTO agreement, suspending the application of WTO rules between itself and China. This would mean that every one of the WTO's other 135 members—who account for 90% of world trade—would be eligible for the benefit of Chinese WTO membership, but the United States would not. And this includes the benefits that stem from the U.S.-Chinese bilateral accession agreement. The concessions that China made to the United States, to secure our support for Chinese accession, would be available to all other WTO members, but not to the United States. We cannot let this happen—we cannot allow our trade competitors to eat our lunch in China.

It bears emphasis that by granting PNTR, the United States gives up no trade protections. China already enjoys normal trade relations with the United States—our markets are already open to Chinese imports. The concessions that were made as a condition to Chinese entry to WTO were all made by the Chinese—the U.S. gave up nothing, and PNTR will not affect a single American tariff or other trade barrier.

The only thing that the United States does give up by granting PNTR is the right to review China's NTR status annually. With this, we give up very little, for NTR review has not been an effective tool for influencing

events in China. Congress has renewed China's NTR status every year since 1980. The Chinese no longer take the threat of review seriously—particularly after NTR was again extended after the Tiananmen Square massacre in 1989. The NTR procedure was originally enacted as the Jackson-Vanik amendment to Trade Act of 1974. The official condition for extending NTR is that the country being reviewed allow free emigration from its territory. The process was originally set up to pressure the Soviet Union with regard to free emigration of Soviet Jews. In other words, annual NTR review is a procedure that was set up to deal with an issue that does not concern us with regard to China, and to control the behavior of a country that no longer exists. Having lost its credibility over the last twenty years, it is time for annual NTR review to be retired.

But you need not take my word about the lack of leverage provided by annual review. Take the word of Fu Shenqui, a Chinese dissident who has been active in the human-rights movement in China since the 1979 Democracy Wall movement, and who has been imprisoned for his activism three separate times. Mr. Fu had this to say about the effectiveness of annual trade review:

[T]he annual argument over NTR renewal exerts no genuine pressure on the Chinese Communists and performs absolutely no role in compelling them to improve the human rights situation. . . . [T]he improvement of the human rights situation and the advancement of democracy in China must mainly depend on the great mass of the Chinese people, in the process of economic modernization, gradually creating the popular citizen consciousness and democratic consciousness and struggling for them. It will not be achieved through the action of the U.S. Congress in debating Normal Trade Relations . . .

Also consider the words of Bao Tong, a prominent Chinese dissident. In an interview with the Washington Post, May 11, 2000, Mr. Bao said simply: "I appreciate the efforts of friends and colleagues to help our human rights situation, but it doesn't make sense to use trade as a lever. It just doesn't work."

While annual review doesn't work, engagement does. Despite the failure of the annual NTR process, the United States does still have a means of adding liberalization and democratization in China. The United States can contribute to the reforms that have been building for the last twenty years by supporting the reform faction in the Beijing regime; by providing an example of democracy and rule of law to individual Chinese citizens; by getting the Chinese government involved in the international organizations and frameworks; and by aiding the process of private capital formation in China. And all of these things can be accomplished by enacting PNTR and supporting Chinese membership in the WTO.

Zhu Rongji, the current Premier, is widely regarded as the most proreform

leader in China. His group is friendly to the U.S., and they have bet their future on WTO and PNTR. After two decades of rapid growth, China's economy appears to be faltering—growth is down substantially in the last few years, and deflation has plagued the economy for over two years. The current leadership views WTO—and the reforms and market opening that it will entail—as a tool for reviving a flagging economy. WTO has been the mostly hotly debated topic in China since 1989. The reformers have agreed to adopt sweeping economic reforms in exchange for accession to the World Trade Organization. For the U.S. to reject this offer of increased openness and reform would deal a serious blow to the liberals in the Chinese government—and greatly strengthen the hand of the Communist hardliners. The W.T.O. accession agreement also offers the Chinese reformers political cover—it would merge their domestic market reform agenda with international commitments and Chinese membership in a prestigious international body. China's opening would become not just one political faction's program, but the new role of China as a participant in the international system. The United States must seize this historic opportunity to establish friendly relations with China, and to consolidate the current atmosphere of openness and reform within that country. The Chinese liberals have done their part by negotiating the most ambitious market-liberalization agreement that nation has ever seen; now it is our turn to do our part.

Again, it is worth hearing the views of these matters of those for whom China's future course is not just a theoretical concern. Martin Lee is the Chairman of the Democratic Party of Hong Kong. He emphasizes that "the participation of China in the WTO would not only have economic and political benefits, but would also serve to bolster those in China who understand that the country must embrace the rule of law."

Dai Quing is a Chinese investigative journalist and environmentalist and the winner of the 1992 Golden Pen for Freedom award given by the International Federation of Newspaper Publishers. Ms. Dai was recently imprisoned in China for 10 months on account of her writings. She nevertheless favors granting China PNTR. She says:

I have heard on the news that two of the groups I admire most in the U.S.—the AFL-CIO and the Sierra Club—are against granting permanent normal trade relations with China. . . . As a Chinese environmentalist and human-rights activist, I disagree with their position. . . . I believe that permanent normal trade status, with its implication of openness and fairness, is among the most powerful means of promoting freedom in China. Starting in 1978, the open-door policy completely changed the way China responded to the world. Today, PNTR is a powerful means to keep China's doors as open as possible.

WTO membership and PNTR will not only keep China open to the West, but

will improve conditions within that country. The market reforms that will come to China as a result of PNTR—both a requirements of WTO, and as necessary changes in the face of increased competition—will help to directly liberalize Chinese society. These changes will include a much freer flow of information to China; as the economy advances, more information technology will fall into private hands, and the overall volume of communication will increase, making it much more difficult for the government to monitor and control its people.

Also, market reforms will assist the growth of civil society and the democratization of China by reducing the dependence of individual Chinese on the state sector. Although private business's share of the Chinese economy is ever increasing, a majority of Chinese workers still work for some form of a collectively owned enterprise. These state workers are paid very little in actual wages; instead, they receive much of their compensation in the form of subsidized housing, health care, child care, food, clothing, and education. State workers' reliance on these government-provided benefits greatly increases the government's power over these individuals. Those who depend on the government for their necessities are generally loath to criticize it—or to do anything that may incur its wrath and jeopardize their ability to simply get by. Increased private ownership and employment in China will break this cycle of dependence, and will do much to loosen the government's grip on its citizens.

But again, you need not take my word for it. We have heard much talk about human rights from those opposed to PNTR with China. Let us also listen to those on the front lines in the fight for democracy and greater freedom in China:

The China Democracy Party was founded two years ago in Zhejiang, China. Many of its members are currently imprisoned or under house arrest in China. The party has issued the following statement, which deserves the attention of all those concerned about political reform in China:

The China Communist government is planted in state ownership. The very base for government power is in each and every state-owned company and farm. Bringing China into the international community will speed China's economic privatization and its development, thus [converting] state ownership into private ownership. This change will tremendously weaken the state ownership that the Communist government power basically relies on.

The same point is made by prodemocracy leader Ren Wandong, who simply states:

A free and private economy forms the base for a democratic . . . [WTO membership] will make China's government organs and legal system evolve toward democracy.

Greater openness and trade for China will also increase China's communication with the outside world. This will not only introduce more Chinese to liberal ideas and principles, but will also

increase international awareness of conditions within China. Again, as the China Democracy Party declares in its official statement: "the closer the economic relationship between the United States and China, the more chances for the United States to politically influence China, the more chances to monitor human rights conditions in China, and [the] more effective the United States [will be] to push China to launch political reforms."

And finally, the emergence of alternative power centers—especially private business—will fuel the growth of a civil society—of institutions and practices that are independent of political power. Civil society offers a check on government, and forms the bedrock of political democracy. As independent power centers become more important in China, the state will be forced to concede some power to them. This is the pattern that has led to democracy across East Asia—in South Korea, in Taiwan, and in the Philippines. Just as in these countries, market reforms and private sector growth can also be expected to lead to political liberalization in China.

In this regard, it is worth considering the concerns of those who do not favor great openness and democracy in China. A story in the *Washington Post*, on March 13, 2000, notes that:

China's security services, including the People's Liberation Army, are concerned, analysts say, that joining the WTO will mark another step toward privatizing China's economy and importing even more Western ideas about management and civil society—a headache for those whose job it is to ensure the longevity of the one-party Communist state.

By voting for PNTR, we give the hardliners in China even more to worry about. We must pass this important legislation—not just for our own economic benefit, but to encourage and accelerate the reforms and openings that are currently taking place in China. We must not let this historic opportunity slip away.

Some have also suggested that the grant of PNTR must be tempered by our concern for China's neighbor Taiwan. But the bill that we are voting on today—the House version of PNTR—already includes a provision asking that the WTO approve the accession of both China and Taiwan at the same WTO session. The United States must remain committed to that policy—of immediate Taiwanese membership in the World Trade Organization.

It bears mention that Chen Shui-Ban, the recently elected President of Taiwan, also supports China's entry into the WTO club. In a March 22 interview with the *Los Angeles Times*, Mr. Chen stated:

We would welcome the normalization of U.S.-China relations, just like we hope that cross-strait relations [will improve]. . . . We look forward to both the People's Republic of China's and Taiwan's accession to WTO.

Few have more at stake in China's future course—and in its attitude toward its neighbors—than the Tai-

wanese. Their leaders support China PNTR.

Finally, enacting PNTR will build on the edifice of free trade that the United States has been constructing for the last 50 years. This decade, in particular, has seen some impressive strides toward free trade, with the approval of the North American Free Trade Agreement in 1993 and the creation of the World Trade Organization in 1994. When those agreements were set in place, we heard dire warnings from the naysayers of trade, who predicted a giant sucking sound of good jobs and capital investment leaving this country. But we need no longer evaluate those predictions in the abstract. Since that time, the rest of the 1990s have elapsed, and we can see the product of the modern free-trade regime. Since the enactment of NAFTA and GATT, we have seen:

More jobs: In the 1990s, total civilian employment in the United States has surged by 16 million jobs.

Better jobs: Over 80% of the new jobs created since 1993 have been in industry/occupation categories that pay above-median wages. 65% are in the highest-paying third of job categories.

Families are better off: Between 1993 and 1998, real average household income has grown between 9.9% and 11.7% for every quintile of the income distribution. For African-Americans, it has grown by 15%. For families in the lowest quintile, income rose at a 2.7% annual rate.

Trade brings more and better jobs: Last year, international trade supported over 12 million American jobs. Exports to China alone supported over 200,000 American jobs directly, and tens of thousands more jobs indirectly. And these export-related jobs are better jobs, paying on average 17% more than non-export related jobs.

The trade naysayers also warned that free trade would lead to capital flight from the United States—that as soon as we let down our trade barriers, all of our factories would relocate abroad and that new investments would follow them. It hasn't happened. Instead, our manufacturing base is thriving:

Manufacturing output has gone up, not down: Since 1992, manufacturing output in the United States has risen by 42%. Domestic output of motor vehicles has shot up 51%, and domestic automobile employment has increased by 177,000 to almost 1 million. America remains the world's top exporter of manufactured goods. Among America's leading exports in 1998 were aircraft, computer equipment, telecommunications equipment, valves and transistors, passenger cars, and car parts.

Direct investment in the United States is soaring: In the 1990s, the United States has been the world's largest recipient of foreign investment. In 1999, fixed nonresidential private investment in the United States exceeded \$1 trillion.

Low-wage countries are not siphoning away investment: From 1994-98,

U.S. manufacturing investment in Mexico averaged \$1.7 billion annually. But in 1997, U.S. investment in U.S. manufacturing totaled \$192 billion. In 1998, 80% of U.S. investment in foreign manufacturing was in other high-wage countries. (The top five destinations were Great Britain, Canada, the Netherlands, Germany, and Singapore.) Rather than low wages, investors seek countries with economic stability, well-developed infrastructure, lucrative market potential, and skilled workers. We have nothing to fear from lower barriers to U.S. investment in underdeveloped countries such as China.

Finally, it bears mention the trade also benefits American consumers. Free trade has reduced the prices that American consumers pay for everyday goods—saving the average American family of four as much as \$3,000 a year.

In the early 1990s, we might have doubted. But we rejected the counsel of the trade scaremongers, those who thought that the United States would not be able to compete in a free-trade world. And today we are better off for it—with more and better jobs, a stronger manufacturing base, and a better standard of living. It is time to build upon success, and enact the next item in the free trade agenda, by putting into law China PNTR.

I have previously spoken on the floor of the Senate about the importance of this agreement to the U.S. economy, how it will help increase jobs in manufacturing and business activities here as we can more readily export goods to China. By joining the World Trade Organization and having the U.S. Government grant permanent normal trade relations to China, China will be forced to lower its tariffs on goods that it is importing from the United States. That will enable us to export more products to the world's largest market.

This agreement is of particular importance to the State of Illinois, and that is because Illinois is a major exporting State. If Illinois were a free-standing nation, it would be one of the largest exporting nations in the entire world. Not only do we have a large agricultural economy—we are the third largest agricultural producer in the United States—but in addition, we have a diverse manufacturing base. It is hoped that after this agreement is implemented, we will be able to export more corn, more soybeans, more cattle, more beef production, as well as more pork production, to China. China, with 1.3 billion mouths to feed, is a potentially vast market for U.S. agricultural products.

In addition, we have large manufacturing concerns in Illinois, such as Caterpillar based in Peoria, with factories all over the State of Illinois; John Deere based in the quad cities part of our State; and Motorola, one of the largest manufacturers of cell phones and other high-tech products. This agreement will benefit businesses such as those and thousands of other smaller businesses in Illinois that make

products which they will be more easily able to export to China following this agreement.

During this debate on PNTR, the economic reasons for voting in favor of this agreement have been thoroughly addressed. Opponents have argued that somehow this agreement will cause the United States to lose jobs. They made those same dire warnings in the early 1990s when we were considering the free trade agreement with Mexico and Canada that became known as NAFTA, as well as when we were going into the World Trade Organization. There were dire predictions of a giant sucking sound of jobs going across the border.

Those predictions have not been borne out. In the intervening years, we have seen our economy grow dramatically. We have added 16 million jobs in the intervening years, and we continue to create jobs, high-paying jobs, at a very dramatic rate.

Not only that, the most recent statistics show that more capital is being invested in the United States than anywhere else in the world right now.

Of the capital that our manufacturers are investing in foreign countries, they are not, as predicted, investing it all in low-cost poorer underdeveloped countries, but, in fact, the largest recipients of U.S. capital, in recent years, have been advanced nations such as Great Britain, Germany, and the Netherlands.

It turns out that our manufacturers, when they have wanted to invest abroad, have not only looked for low-cost—that certainly would be a plus—but they have looked for stable economies, with good infrastructures, and strong, skilled labor forces, as well as good market potential. So I think the opponents of the expansion of free trade have been mistaken when they predicted that it would hurt our jobs for us in this country and harm our economy.

But there is one other side to this, in which the opponents say, even if they can see the economic argument in favor of free trade, they argue that we should vote against free trade with China for moral reasons. I wanted to take the floor to address those arguments because I disagree strongly with what they have said.

Many opponents of permanent normal trade relations with China have suggested that by giving up the annual review of our trade status with China, we will lose any leverage we have to affect human rights conditions in that nation. But here, too, I believe the opponents of the agreement are wrong.

First, the Chinese Communists no longer take the annual trade review process seriously. Congress has renewed that status every year since it was first granted in 1979. Whatever credibility the annual process of granting normal trade relations to China has had, that all evaporated when China was granted that status in 1989 following the Tiananmen Square massacre.

While annual review does not work, engagement does. The most immediate effect of granting permanent normal trade relations to China will be to shore up the position of the reformers in the Chinese Government. Zhu Rongji, the current Premier, is widely regarded as the most pro-reform leader in China. Mr. Rongji has staked his career on the passage of this agreement and the future of permanent normal trade relations.

China's impending WTO membership has been the most hotly debated topic in China since 1989. The current leadership has agreed to adopt sweeping economic reforms in exchange for Chinese accession to the WTO. Should we accept China into that body, these reforms will be cemented into place. They will become an international commitment, enforceable through the WTO's multilateral enforcement mechanism. But should the United States reject China's offer of increased openness, we would deal a serious blow to China's reformers and greatly strengthen the hand of Communist hard-liners.

PNTR will also contribute to the development of a freer and more democratic society in China at the grassroots. The reforms accompanying China's WTO admission would accelerate the growth of the private sector in China and will make it possible for more Chinese to work for foreign companies. These changes are important for the progression of freedom in China.

What most people do not think about in this debate is that at the current time most Chinese workers are employed by their Government. I think the figure is close to 70 percent. These workers are paid minimal wages, very low wages. Most of their compensation is in the form of housing, health care, and education. They have to work in order to get those benefits.

But state workers' reliance on these benefits greatly increases the Chinese Government's control over them. Individuals who depend on the state for basic necessities are generally loath to criticize the Government or otherwise to incur its wrath.

Increased private ownership, which will result from China's accession into the World Trade Organization, and increased employment by private companies—American, European, and companies from around the world—doing business in China, employing Chinese workers in the private sector, will help break the Chinese people's cycle of dependence on the Government and will do much to loosen the Government's grip over its citizens.

Moreover, the emergence of alternative power centers in China, through private enterprise and the accumulation of private property, will spur the growth of civil society in China, fostering institutions and practices that are beyond political control.

Civil society offers a check on government and forms the bedrock of po-

litical democracy. As independent institutions become more important in China, the state will inevitably cede some power to them. This is the path that has led to democracy across Asia, in South Korea, in Taiwan, and in the Philippines.

Members of the Senate need not take my word for this. As Federal Reserve Chairman Alan Greenspan recently noted:

History has demonstrated that implicit in any removal of power from central planners and broadening of market mechanisms . . . is a more general spread of rights to individuals. Such a development will be a far stronger vehicle to foster other individual rights than any other alternative of which I am aware.

Thus, I am making the argument that has not really been made too often in this whole debate: That not only is this agreement good for our economy, for our job creation, and for our business sector, but adoption of this agreement in the legislation we will vote on on Tuesday will be good for the Chinese people because it will ultimately breed more freedom within that country.

Mr. President, I yield the floor.

Mr. COCHRAN. Mr. President, this has been a very worthwhile discussion of an issue that has bedeviled the Congress on an annual basis for too many years. We now are considering a bill that has the effect of answering a question that doesn't have to be considered each year in the future.

Although the amendments that have been offered ran the gamut of Chinese transgressions and shortcomings, both real and imagined, and many are very troubling, I am supporting this bill as reported by the Finance Committee.

Two months ago I read an editorial in the Wall Street Journal which reflected my thoughts on the relationship between our concerns about Chinese proliferation of technology and missiles on the one hand and our trade interests on the other. The editorial appeared in the July 19, 2000 edition of the paper and I saved it to put in the RECORD during this debate because in my view it answers in a thoughtful and persuasive way why this bill should be passed by the Senate and sent directly to the President for his signature.

I ask unanimous consent that the editorial be printed in the RECORD.

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

#### CHINA, TRADE AND MISSILES

The test of an Iranian medium-range ballistic missile Saturday raised further U.S. concerns that China is exporting technology that could destabilize other areas of the world. U.S. intelligence officials believe that Beijing continues to sell components and know-how to aid the Iranian and Pakistani missile programs, despite U.S. objections. They fear as well that Iran is developing longer-range missiles capable of reaching well outside the Middle East.

These suspicions have spurred the U.S. Senate to hold up the passage of Permanent Normal Trading Relations (PNTR) for China. A bill is now pending to require tougher sanctions if Beijing continues to support the spread of such weapons.



The Senate's annoyance seems justified, even if the various proposals for retaliation might not be. A few years ago the Clinton Administration extracted promises from Beijing to curtail exports of technology for weapons of mass destruction, as well as whole missiles. But it has made no progress on stopping "dual-use" technology exports to Iran and Pakistan—technology that might have either military or commercial applications.

Given that developing nations seldom test missiles with peaceful purposes in mind, the Senators are prodding American and Chinese officials to come to some agreement about controlling the spread of such technology. Several U.S. officials, including Defense Secretary William Cohen, have been to Beijing in recent weeks to hash out the issue. But there seems only to have been an "exchange of views."

Pressure from Congress is certainly useful here, but there should be a clear line drawn when it comes to PNTR. Both sides in the debate tend to over-emphasize the link between trade and China's behavior on human rights, weapons proliferation and other concerns. This is a mistake. Normal trade relations should be weighed on its own merits.

Passage of PNTR would not belittle the seriousness of China's peddling of missiles, components and weapons technology to anti-American Iran. But that problem needs to be addressed in other ways that would not undermine America's interest in advancing free trade and encouraging movement by China toward a free market economy.

Pursuing missile defense for the U.S. and its allies is one quite appropriate response. China complains frequently about American moves to develop a national missile defense. The obvious counter is that it is made necessary partly by the PRC's contributions to weapons proliferation.

Sorting out a U.S. policy toward China is possible only by looking at the big picture. Global political stability will be enhanced if China continues to advance economically and learns to observe international rules dealing with trade and investment. World Trade Organization membership for China affords no guarantee against a future conflict, but there is a sound argument to be made that development of a prospering middle class in China will push the regime toward greater moderation in both domestic and foreign policy, partly because China will have more to lose from failed adventures.

In an interview with the Asian Wall Street Journal's editorial staff, Admiral Dennis Blair, Commander in Chief of U.S. Pacific Command, emphasized the strategic importance of nurturing a working relationship with China so that a habit of trust and cooperation can over time replace a tradition of confrontation. Military exchanges, regional peacekeeping and humanitarian exercises, and normalized trade all further the goals of Americans security and Asian stability in the future. The U.S. and China may not share the same vision for the region, but they can find common interests.

Simply comparing the PRC's mild treatment of this year's Taiwanese elections with their more ominous military maneuvers during the 1996 election reveals how China does respond when the U.S. stands firm. The missile tests four years ago alienated the Taiwanese public and forced the U.S. to make its commitment to Taiwan more explicit by sending aircraft carriers to the area. Beijing has evidently drawn some conclusions from this and changed its behavior. The U.S. now must make China perceive the seriousness of the missile proliferation issue.

Senate Majority Leader Trent Lott says that PNTR will pass after some appropriations legislation is cleared. But it certainly

doesn't help the case for normalized trade in an American election year if China is perceived to be thumbing its nose at the U.S. on an issue important to the security of the U.S. and its allies. Indeed, its intransigence merely encourages lawmakers in their efforts to dilute PNTR with anti-proliferation trade sanctions.

If there is an assumption in Beijing that it can be less observant of U.S. concerns now that its WTO membership seems assured, the Chinese leadership is making a serious mistake. They too have a stake in there being a constructive working relationship between the two countries. A wise leadership would not risk that relationship for the paltry earnings from sales of a few missiles or missile parts.

Mr. GORTON. Mr. President, on Wednesday, the Senate voted on several amendments to the bill establishing permanent normal trade relations status for the People's Republic of China. While I was unfortunately unable to cast my votes regarding these amendments, I was able to comment on a few of them. Today I wish to comment on the remaining amendments.

Two of the amendments argued were introduced by our colleague from North Carolina. I supported the first amendment offered by Senator HELMS, regarding family planning, abortion, and sterilization practices in China. Although the amendment failed by ten votes, I am pleased the Senate made a strong statement regarding these abhorrent practices.

While I agreed with Senator HELMS on his first amendment, I did not agree with him on his second measure. American industries have set the standard for appropriate business practice, and even though I agree with Senator HELMS that they ought to utilize these practices in China, I do not believe another layer of bureaucracy is necessary to accomplish this mission.

I would also have voted against Senator FEINGOLD's amendment regarding the Congressional-Executive Commission established in H.R. 4444. I believe the parameters with which the Commission was established in the House of Representatives are adequate, and that additional requests or requirements from its members are not imperative.

Finally, the Senate considered an amendment offered by Senator WELLSTONE. Without question, the issues surrounding political prisoners and detainees who have attempted to organize should be addressed by the People's Republic of China. However, I believe the administration already has the tools necessary to address these very concerns. I would not have voted for Senator WELLSTONE's amendment.

Mr. BROWNBACK. Mr. President, I rise today in support of H.R. 4444, the U.S.-China Relations Act of 2000. This bill is the most significant foreign policy-related legislation that we have debated during the 106th Congress.

H.R. 4444 presents tremendous new export opportunities for our manufacturers, farmers, and service providers. While China has had excellent access to the U.S. market for 20 years, U.S. access to China's enormous market has

been limited. With the enactment of this legislation, and China's accession to the WTO, that situation is about to change.

The United States is finally going to enjoy virtually unfettered access to China's vast market. The impact on my State of Kansas will be substantial. China agreed to end corn export subsidies, increase import quotas for wheat and corn, and reduce soybean tariffs. China agreed to lower its tariff on beef from 45 to 12 percent and on pork from 20 to 12 percent. China agreed to accept USDA safety certification for meat and pork exports.

And agriculture is not the only sector in my State that will benefit from China's accession to the WTO. Black & Veatch will see lower tariffs on imported equipment, which will reduce the contract cost of projects won in China. Boeing will have a more stable economic environment in which to sell airplanes to China's airlines.

Granting Permanent Normal Trade Relations status to China will increase our exports to the world's most populous country. But, more importantly, bringing China into the WTO will put the PRC on a collision course with economic and political liberalization.

Mr. President, China has been ruled by the Communist Party with an iron grip for more than 50 years. But WTO accession comes with a price. WTO accession will usher the forces of globalization into China in a very permanent way. Globalization will be good for China's economy because it will integrate China's economy into the world's economy. Globalization will also force the systemic reform of China's inefficient state-owned enterprises and banking system.

But globalization will also have a much more profound effect on China. Globalization will force upon China the infrastructure necessary for greater political liberalization. Globalization will require China to have a stronger adherence to the rule of law and property rights. Globalization will create a stronger middle class in China that will demand greater freedom with which to enjoy their new position. Globalization will bring the internet into tens of millions of Chinese homes, exposing the Chinese people to Western standards of political and religious freedom, and human rights.

I ardently believe that PNTR and human rights must go hand in hand. It is important to note that my positive position on PNTR gives me a door to walk through to raise a number of human rights issues with the Chinese Government, including religious liberty and the development of the rule of law.

Somehow, an intellectual myth has been adopted, dictating only two ways to deal with China. Either grant PNTR status but never raise these issues, which gives an unfortunate, unbridled affirmation regarding known abuses. Or the second method which mandates



a complete isolation from any relationship other than that of repeatedly dunning this government with ill will and no positive incentives. Such vitriol does not work with people and it does not work with governments, and ultimately, nothing changes for those who suffer.

I propose a third way which calls for a relationship where we genuinely raise these issues in a serious, sustained dialogue. I do, in fact, raise these issues continuously. This way, will in the end, get religious prisoners free, and create an independent judiciary not ruled by Communist dogma, and give China pause the next time another Tiananmen Square breaks out. Ultimately, this way engenders freedom and human rights better than either of those other two methods. After all, isn't that what this is all about?

One final note: I hope that the Chinese Government does not think that the tabling of the Thompson amendment is the end of the proliferation debate in the Senate. China must stop engaging in the proliferation of weapons of mass destruction. The Clinton administration has failed miserably to curb such proliferation. That is why there has been support to legislate antiproliferation policy in the absence of an executive proliferation policy.

Mr. President, China must stop making weapons of mass destruction available to rogue nations around the world. We need to open up trade with China to increase our exports and to increase the exposure of the Chinese people to economic and political liberalization. But trade must not come at the expense of national security. Ignoring China's proliferation activities while we increase our trade ties with China would be a grave mistake. We must be vigilant and enforce current U.S. law as it pertains to proliferation. The Clinton administration's failure to do so has jeopardized national security. Congress must not permit future administrations to make the same mistake.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. GRAHAM. Mr. President, I ask unanimous consent that during today's session the following Senators be recognized in morning business for the times specified: Senator GRAHAM of Florida and Senator EDWARDS of North Carolina for up to 10 minutes each, and Senator DORGAN of North Dakota for up to 20 minutes.

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

Mr. GRAHAM. Mr. President, I will now proceed to use the 10 minutes which I have been allocated.

The PRESIDING OFFICER. The Senator is recognized.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. 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.

#### IMMIGRATION AND NATIONALITY ACT AMENDMENTS—Motion to Proceed

Mr. LOTT. Mr. President, there have been numerous efforts over the past several months to find a way to come to agreement on how to proceed to the so-called H-1B bill, which is a bill to provide for additional high-tech workers to come into this country. Since we have already reached the limit, I believe, for this year, there is a need for additional workers in this area. We have negotiated back and forth. At one point we were talking about 10 amendments on each side. Then we got down to seven, six, and yet Senator DASCHLE and I were working to see if we could clear five amendments.

Then you get into all kinds of discussions. Are these just relevant amendments or can it be five agreed-to amendments? How do we deal with Senators who would want to add clearly unrelated amendments that could take down the whole issue?

Without questioning the motives of anybody, I think Senator DASCHLE and I have been serious in trying to work something out. We have tried repeatedly, but there have been objections for one reason or another on both sides. I do not think we can pursue that any further, although one of the major problems, I had a Senator tell me yesterday maybe he would feel he would not object by Tuesday. But if we wait until Tuesday, then we have lost more days. So if we should be able to come to agreement that would be good. We could vitiate cloture and go to it. If we cannot, we need to go ahead and get to this issue.

Hopefully we can get cloture, and when we do, relevant amendments would still be in order, and we still would have to go through a conference. Obviously, there would be input from both sides of the aisle, both sides of the Capitol, and from the administration on the final contours on this bill. But we are down to the point now where there are a number of important bills remaining on the calendar, and if we don't find a way to address them one of two things will happen: They either won't be considered in a conference at the end of the session, or they will be considered in such a way that they will be added to some other bill, unrelated,

some appropriations conference report, or something else.

At times that is the best way to proceed, and we should keep that option open. But I would prefer to have the Senate act its will on a bill of this type and relevant amendments be offered and debated and voted on. So that is what I want to try to set up here.

I have notified the Democratic leader—he has a representative here—that this is what we are going to do now, that we would move to a cloture motion and then we will get to vote on it next week.

#### CLOTURE MOTION

Mr. LOTT. Mr. President, I move to proceed to S. 2045, the H-1B legislation, and send the cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

#### CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to calendar No. 490, S. 2045, a bill to amend the Immigration and Nationality Act with respect to H-1B Non-Immigrant Aliens:

Trent Lott, Chuck Hagel, Spencer Abraham, Phil Gramm, Jim Bunning, Kay Bailey Hutchison, Sam Brownback, Rod Grams, Jesse Helms, John Ashcroft, Gordon Smith of Oregon, Pat Roberts, Slade Gorton, Connie Mack, John Warner and Robert Bennett.

Mr. LOTT. Mr. President, this cloture vote will occur, unless there is some intervening agreement, on Tuesday. I ask unanimous consent the cloture vote occur immediately following the passage of H.R. 4444, and the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Is there objection? The Senator from North Dakota.

Mr. DORGAN. Reserving the right to object, I will not object, but I want to make a comment to the majority leader.

This H-1B visa bill is important to all of us. It is important to those on the Democratic side of the aisle as well. We recognize that our economy is experiencing substantial and sustained growth, unparalleled growth, and to keep that on track we have to ensure our high-tech industry has the employees it needs.

I was at a company in California some while ago and the president of the company said we have 2,000 open positions for engineers right now that we can't fill. There is not any way for us to fill them—2,000 jobs, engineers we need and we can't get. So we understand this issue. We want it to be resolved.

I must say, the Democratic leader is not here today. On his behalf, I would mention to you that with regard to the

discussions that you and he have had about the potential for five amendments on a side—he was fairly optimistic about being able to clear that. We think that can be resolved. We hope it can be resolved on next Tuesday. It is our understanding the Republican leader was amenable in those discussions to an agreement that would allow five amendments on each side related to H-1B or to technology-related job training, education, and access.

It is also our understanding the Republican leader was amenable to our Democratic leader, or his designee, offering a Latino fairness amendment and a Liberian adjustment amendment.

I want to make a comment on his behalf that support of relief for immigrants who have fled wars in Haiti, El Salvador, Honduras, and Guatemala, and to other longtime residents who have been in the United States since before 1986 is important to ensure fairness in the immigration system. If we do this, we will immediately increase the size of the legal workforce and also alleviate the shortage of low-skilled workers, and we will keep families together.

We believe our offer is reasonable. We hope we can work out an agreement. I think the discussions we have had about the five amendments on each side is something that should give us some hope that we will be able to resolve this soon and certainly before this Congress adjourns.

It is a very important issue. You want to address it. We want to address it. We believe we should find a way to connect here and reach agreement to do so.

Mr. LOTT. Will the Senator yield on another point? He and I have discussed the fact that we need to make sure that, wherever possible, some of these high-tech jobs be available in areas now that are underserved—rural areas, including my own State and the State of North Dakota and several other States. I think Nebraska would be in that group. You know, you can't direct where those jobs go, but we could encourage some of those programs, some of these people to be taken into areas where there are not now opportunities, that training be available for them. That certainly would be very attractive so we do not have the high-tech industry only concentrated on the west coast and Northern Virginia or in some other areas, but to try to spread it as much as possible. That is an issue I would like us to consider.

With regard to the immigrant problems, I think, as he knows, we have in the past supported some movement in that area. I believe there is some application now to Nicaraguans that are here. Of course that causes some of the problems. Some of their neighbors don't have that same consideration. We should look at this issue. We should do it thoughtfully. But that is one of the problems.

H-1B has been pending a long time. We need to get it done. The argument

can be made that these are different issues. For instance, I understand the other issues mentioned would not be relevant postclosure to the bill, but I do think it is going to be an issue that is going to be discussed as we get to the end of this session to see if there is some way some of those can be addressed. The Senator is talking, in some instances, about a relatively small number of people. One he mentioned was Liberian immigrants, focused primarily on one State. Maybe something can be done on that.

I want us to find a way to get this bill done. It has been dragging for 6 months. We are down to the last 2 weeks of the fiscal year. I am trying to set up a process that guarantees we get to a conclusion while we continue to work with those on both sides who may have objections.

The problem we have is, if you include these three, four, or five, you will have other people who will say: What about this issue, that would cause a filibuster to begin and we would wind up having to pull down the bill. I would rather that not be the end result.

Mr. DORGAN. Mr. President, if the majority leader will yield further under my reservation, as he knows, it is even difficult to agree to five amendments. We are willing to do that. The Democratic leader wants this bill done. I want it done. My colleagues want it done. We risk ending this session not doing something that we know should be done. We need to do this H-1B bill, and we need to increase the number of these visas.

Let me also respond to the point the Senator from Mississippi made a moment ago. The Senator from Mississippi pointed out that if we bring additional people in to fill jobs here, which makes sense—I much prefer they come in and fill jobs in this country rather than have the company move their operations to India or some other country—it makes sense also not to move all of those jobs into the same part of the country. Because information technology now allows us to do this work anyplace in the country, what about targeting some areas of the country where we have had outmigration, where we have lost population? That is what the Senator from Mississippi said. I think it makes eminent good sense. I hope we can work on at least a piece of that.

I will not object. Again I say it is our intention to get this legislation passed. We think the proposal offered in the last couple of days makes sense. We think we can probably clear that in the manner previously discussed between Senator DASCHLE and Senator LOTT.

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

Mr. LOTT. Mr. President, I now withdraw the motion to proceed.

The PRESIDING OFFICER. The Senator has that right. The motion is withdrawn.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DORGAN. 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. DORGAN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. The Senator from North Dakota has up to 20 minutes. The Senator from North Dakota.

#### BUDGET SURPLUSES AND DEFICITS

Mr. DORGAN. Mr. President, I come to the floor of the Senate to discuss the fiscal policy questions that are ricocheting around this Chamber, and the House as well, about what the future will hold with respect to tax cuts, budget surpluses and/or deficits, investments in education, the possibility of reducing Federal indebtedness, and other spending. I want to talk about that because we now have a discussion in this town about the potential for big recurring budget surpluses every single year.

It was not too many years ago in Washington, DC, that we had the leading economists in the country saying the 1990s would be a decade of anemic economic growth. We had very large budget deficits, the country was not doing well, and the economists said for the next decade this economy is going to grow very slowly.

The economists did not know what they were talking about then. That is not unusual. I always thought there should be some sort of standard by which we measure economists and evaluate whether what they say has any validity in terms of what we experience. Of course, we have no such yardsticks, so these economists keep on talking and people keep on listening. That is why I am here today: What do we expect in the future, and what should we do in this country as a reasonable response to those expectations.

I want to for a moment talk about the early 1990s and recall where we were. The unified budget deficit in 1992 was \$290 billion and rising—\$290 billion just for that year and rising. Now we have a surplus in the year 2000. Economists said we would have continual, larger and larger deficits. That was wrong. We now have a surplus.

Economic growth: Then it averaged 2.8 percent. We were apparently at the end of, or beginning to see the end of, a recession. Economic growth averaged 2.8 percent annually for the previous 12 years, and it looked as if we were finally ending a recession. Since 1993, economic growth has averaged 3.9 percent a year.

Jobs: From 1988 to 1992, we had a difficult period, one of the worst in history in terms of the creation of new

jobs. The economy did not produce many new jobs. From 1993 to date, over 22 million new jobs have been created in this country.

Unemployment: It averaged 7.1 percent in the 12 years prior to 1993. Today it is at 4.1 percent on average, the lowest level in 30 years.

Home ownership fell from 1981 to 1992. Now it is the highest in history.

Median family income fell by about \$1,800 from 1988 to 1992, adjusted for inflation. It has increased by over \$5,000 since 1993.

Real wages fell 4.3 percent in 12 years; real wages are up 6.5 percent since 1993.

Welfare rolls increased 22 percent from 1981 to 1992; since then it has decreased by 53 percent.

The Dow Jones was 3,000 in 1992. It is 11,000 now.

The point is that this has been a very interesting time. Economists predicted this would not happen, but it did. Our economy is growing in a very robust fashion, and a lot of people are claiming credit for it. Probably everybody deserves a bit of the credit.

The 1993 Economic Reform Act that was passed by Congress, which reduced the deficit and which made tough choices, was a signal moment in this country's fiscal policy history. It dramatically changed what happened in this country. We had the courage to do what was right. It was politically difficult to do. In fact, my party paid a price for it in the next election. Guess what. It put this country back on track, away from the growing deficits toward economic growth and toward opportunity.

It is the year 2000, and we have had a remarkable 7 years. Now we are told by the same economists who predicted anemic growth for that decade that in the next decade we will have nothing but ever larger increasing budget surpluses.

Should we believe them? Is that the basis on which we should develop our future fiscal policy for this country? I do not think so. Because we are inebriated by the sound of 10 years of surpluses, we have politicians walking all around the political landscape saying: What we should do now is pass bills that call for massive tax cuts; lock it in, they say; put it in law; let's provide \$1 trillion or \$1.5 trillion in tax cuts.

It is very unwise, in my judgment, to do that. We do not know that we will have sustained economic growth. We do not know whether there will or will not be a recession 2, 3, or 5 years from now. We don't know what the future holds. We would be very wise to be cautious in how we handle this issue of future surpluses.

We face some really critical choices. Those choices can provide both risk and opportunity: The risk of slipping back into big deficits, which no one in this country wants, and the opportunity to move forward and build on our recent economic successes. Those are the risks: Are we going to move backwards or forwards?

I am not here on the floor of the Senate to say one side is all wrong and the other side is all right on this issue, but I will say this. Those who say the only agenda in fiscal policy is to begin cutting taxes right now, and cut taxes deeply, and cut taxes for those who have the most income in this country, risk slipping us right back into big deficits, putting us right back into the same old deficit ditch. That is the last place this country ought to want to be.

How much budget surplus is there really? Even if all the things the economists say might happen, how much real budget surplus do we have? There have been some interesting pieces written in the last few weeks about this. There was a wonderful piece written by David Broder, a very respected columnist, in the Washington Post. There was an op-ed piece written by Paul Krugman, an economist, in the New York Times. There was a good piece in the U.S. News & World Report. They raised these questions, which we should raise here in Congress.

How much surplus do we really have to use, if we are honest about where we are headed and what we are doing? Let's look at it. CBO says, \$4.6 trillion in surplus over the next 10 years. I come from a town of 300 people and a high school class of 9. It is really hard for me to grasp what a trillion dollars might be. In fact, it is hard for me to grasp a billion or a million dollars—but trillions of dollars, \$4.6 trillion. So people hear that word, and it is as if they have taken a big bottle of Jack Daniels and started slugging it down. All of a sudden they are talking about all kinds of wild, irresponsible plans they have because we have \$4.6 trillion in surplus.

But, of course, we do not have \$4.6 trillion in surplus. What we have, in fact, if you take the Social Security trust funds away, is \$2.2 trillion in surplus. But we really do not have \$2.2 trillion in surplus. If you take the Medicare trust fund away—and everybody says they want to have a lockbox; and I assume you would want to lock a box with something in it—so you take that away, then you have \$1.8 trillion available.

And then you must adjust that figure for realistic spending, that is, how much money we are going to spend. The budget caps suggest that we will actually reduce Federal spending in domestic discretionary accounts in this country. However, we will have a population that is increasing and some inflation. And we are not going to say, with respect to law enforcement and education, and all the other essential functions of Government, that we are going to actually spend less next year than we are spending this year. That is not realistic. So adjusting for some realistic investment that makes this a good country to live in—building roads and teaching kids, providing for our common defense, all the things that make us a good country—then you have \$1.2 trillion left.

Then using some of the money for extending the solvency of Social Security

and Medicare, which all of us know we must do because people are growing older and living better lives, you have \$700 billion left. That is the surplus.

This analysis, incidentally, comes from the Center on Budget and Policy Priorities. They say, the real budget surplus is not \$4.6 trillion or \$2.2 trillion. The real budget surplus is probably about \$700 billion.

So then how do you reconcile people coming to the floor of the Senate telling us they want to cut taxes by \$1.3 trillion or more? The only way you reconcile that puts us right back in the same deficit ditch that we have been in before.

Here is another analysis that comes from the Brookings Institution. This one says—using the exact same analysis but different elements of it—we do not have a \$700 billion surplus, we have only about a \$350 billion surplus—about \$35 billion a year. That is the real surplus. They made some different calculations. I will not go through them all.

But the point is this: Under either of these analyses—confirmed and also discussed in the Paul Krugman piece, the David Broder piece, and others—under either of these analyses, we do not have trillions of dollars in surplus. I wish we did, but we do not. It would be terribly unwise for this country to decide to lock into law very large tax cuts—the biggest benefits of those cuts going to the wealthiest citizens in this country—at a time when it will result in large deficits in the future. We would be very smart to be very cautious as we approach this.

This is from Paul Krugman, who I believe is a really interesting thinker. He wrote an op-ed piece in the New York Times:

The most likely prospect is that those big surpluses won't materialize. And when the chickens that didn't hatch come home to roost, we will rue the days when, misled by sloppy accounting and rosy scenarios, we gave away the national nest egg.

His point is a very important one. I am going to talk about it in a moment. But what are our priorities if we are realistic about what we are going to do and what we think will happen? Our priorities ought to be to pay down the Federal debt first and foremost. If in bad economic times you increase the Federal debt, in good economic times you ought to reduce the Federal debt. That is the import of what Paul Krugman was saying, among other things.

Here is another piece from U.S. News & World Report:

Still, the same lack of understanding about the budget is evident today as we head into the crucial weeks of the campaign with big budget numbers and big political promises. If we get it wrong again, we could head back to those awful years—decades of apparently insuperable deficits, slow growth, and recurrent recessions.

All of us could relate to the numbers better if we could knock off a few zeros from the trillions being discussed. Most American families with a lot of debt would know what

to do with a windfall. They'd instinctively feel better if they used the money to redeem loans, freeing themselves from long-term obligations and insecurity, and I suggest the same principle should apply to the country, which is in exactly the same position.

The point is this. With all the opportunities we have ahead of us if, in fact, we have budget surpluses, those will be lower than generally expected. And of all the opportunities ahead of us, the first choice and first claim, in my judgment, ought to be to reduce the Federal debt.

We have a lot of proposals out there. There is one by Governor Bush where he talks about very substantial tax cuts. Frankly, I do not support them. It is not that I do not support providing some targeted tax cuts. Working families deserve some help in this area. But we cannot come around here with \$1 trillion or \$1.4 trillion in tax cuts, given what we expect the real surplus to be. It would put us right back in the same deficit ditch, right back in the same ditch.

What we need to do in this political debate is to see if we can't, as Republicans and Democrats, understand that when we respond to this question of the fiscal policy of this country, and what the future might hold, that we be reasonably conservative and cautious, and protect ourselves from retreating back to the same policies we had previously.

We are all responsible for those policies. There is not a set of fingerprints that lays the responsibility at one door with respect to what happened in this country. But we all ought to be responsible, as well, to say we are not going to let it happen again. In my judgment, we can do that now by saying to those who are campaigning for office—both for this Chamber and the other body, and also for the Presidency—let's have a real discussion about what the real surplus might be, and then evaluate what our priorities are with respect to that.

Now, the tax cuts, I am not going to talk about them so much. The tax cuts that are being proposed around here are terrible. In almost every case they provide the biggest benefits to those who need them least. I know people will say: Well, that is all the same old class warfare. It is not class warfare. The bottom 60 percent of the population, earning incomes up to \$40,000, get \$227 a year; and the top 1 percent get \$46,000 each. That is not tax class warfare, that is just a tax cut that should not happen.

The question is, What should we do now? In my judgment, what we should do is establish a set of priorities, both in this Presidential campaign and in the campaigns for the Congress—the Senate and the House—and say, the priorities for using the actual budget surplus, which is much lower than the trillions of dollars being kicked around by some, is to, No. 1, pay down the Federal debt; No. 2, ensure the long-term solvency of Social Security and Medicare—we have a responsibility to do

that—No. 3, address this country's urgent needs, and that means making some investments that we need in education, and other areas; and, no. 4, provide targeted tax relief for working families. All of these represent the priorities in the order that I see them. Others may see them differently.

I think it is important, before we start down this road, to address this question of whether the trillions of dollars people are kicking around as expected future surpluses are going to be real. The answer is, with almost all thoughtful economists responding to it, to say, no, these are not real; the surplus is going to be much, much smaller than that. That ought to temper our desire and demand and appetite for these huge tax cuts being proposed that will result in very large future deficits.

The single best thing we could do for this country and its children and our future is to begin paying down the Federal debt with the actual surpluses that will come in future years. It is the single most important way of strengthening this country's economy.

I seldom ever quote Alan Greenspan because we have such disagreements on monetary policy, but I will break that rule today. He came to Congress, the Senate Select Committee on Aging, and said:

... there are limited fiscal resources in this country and that until we have strong evidence that there is a major structural increase in the surplus, that trying to commit it to various different program[s] or even tax cuts, I think, is unwise.

His point is, we ought to use the surplus to reduce indebtedness. We have a nearly \$5.7 trillion Federal debt. If during bad times, during tough times, this country had to run up its debt in order to make ends meet, then during good times the greatest gift we could offer to America's children is to say we will reduce that indebtedness. It is not just a gift to children, it also happens to be the best way to assure long-term economic growth.

I will make one additional point as we begin discussing fiscal policy and tax issues. My presentation here will not dim the appetite of those who come to the floor and say: I don't care about numbers. I don't care about philosophy. I was elected to Congress for one thing, and I am going to propose tax cuts until my last breath. I am going to propose tax cuts because those are the only two words I know. I don't care about how it all adds up or subtracts or how it all works out. Good for them. But they are the kind of people who steer this country into the deficit ditch, and I, for one, am not going to be a part of it.

I would say to them this: To the extent that we have some ability—and I think there is some ability, even though we are going to have smaller surpluses—to provide tax cuts, I would like tax cuts to go not just to the people who have benefited most from this economy. We have, after all, one-half

of the world's billionaires in the United States; good for us—but when we talk about tax cuts, I would much sooner see scarce resources go to working families. They are the ones who need them most.

It is interesting. Every time someone talks about a tax cut around here, they only talk about income taxes. Here are the taxes we collect in this country. This big red piece of the pie is payroll taxes. Those at the lowest end of the economic ladder pay a payroll tax that is the same tax as those at the highest end. Nobody wants to talk about these payroll taxes. These are the ones that have increased very substantially in recent years. So when we talk about tax cuts, maybe we could talk about trying to help those who are paying payroll taxes as well, rather than just those who are paying income taxes.

Nearly 100 percent of the bottom fifth of our population are paying more in payroll taxes than income taxes. In fact, even the middle fifth, those making between \$43,000 and \$65,000 a year, 80 percent of them are paying more in payroll taxes than in income taxes. Yet every time you hear somebody saying let's cut taxes, all they want to talk about is income taxes because that means their tax cut proposal is going to benefit those with the most income. What about a tax cut proposal that says we are going to offset some of the burden of those folks who are going to work every day for the minimum wage and are paying a heavy payroll tax. How about giving them a little relief.

So when the next time comes that we in Congress are talking about tax cuts, I am going to bring some of these charts out and ask: Does this not count, the pie chart that shows payroll taxes? Does it not count that the income earners at the lowest end of the scale are paying these things and it doesn't matter somehow? They don't deserve any help? That is just a tax that we won't talk about. That is not fair. It is not the way to do business.

I think the warnings—perhaps the small craft warnings at this point, but major warnings later—by some good economists are saying: Watch out what you are doing here, talking about \$4 trillion of tax cuts or \$4 trillion of surplus or a \$2.2 trillion surplus or a \$1.5 trillion tax cut; watch what you are doing here and be careful, because this is not going to materialize, and if you do what you are talking about doing, it will pose significant dangers to the American economy.

The best way to assure economic growth and opportunity in this country's future is to decide that if we have surpluses—and I hope we do—we will commit first and foremost those budget surpluses to reducing our country's indebtedness. Again, if in tough times you run up the debt, in good times this country ought to be able to pay it down. That is the greatest gift to America's children, and that is also the surest way to long-term economic health, growth, and opportunities.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

#### HURRICANE FLOYD

Mr. EDWARDS. Mr. President, few North Carolinians will forget September 16, 1999. Almost 1 year ago tomorrow, Hurricane Floyd dumped 20 inches on the State of North Carolina, eastern North Carolina, devastating and forever changing our State. Fifty-two North Carolinians were killed as a result of Hurricane Floyd; 66 counties, which is more than 70 percent of our State, were declared disaster areas. More than 60,000 homes were destroyed or damaged, and hundreds of businesses were forced to close or relocate. Farmers were faced with sometimes the most difficult circumstances they had ever faced in their lives, losing everything for which they had worked.

I have been to the floor many times over the course of the last year in an effort to secure relief for our Hurricane Floyd victims. I have worked closely with my colleagues, Senator HELMS from North Carolina and Members of our House delegation, to get help for our folks who are hurting so badly. I have emphasized over and over that what we do or sometimes what we don't do affects real people's lives, the people who often are in very difficult places—for example, the people who were devastated by Hurricane Floyd.

Last year, the Senate appropriated more than \$2 billion for FEMA's disaster relief account. Of that total, more than \$215 million was set aside for FEMA's Hazard Mitigation Grant Program. To this day, more than 2,000 homes in North Carolina have been purchased and families have moved out of harm's way, out of the flood zone. In fact, just yesterday I spoke with Brenda Johnson to tell her that her buyout had been approved. Brenda had been living in a small apartment for almost a year. Finally, she will now be able to move on. Along with the buyout money we appropriated last year, we also secured individual family grants and other disaster relief programs to help people whose homes had been wiped out, people such as Edna Simmons of Greenville, NC.

Greenville was actually one of the hardest hit areas struck by Hurricane Floyd. Unfortunately, Edna's home was one of thousands that were overwhelmed by the flood. For days, Edna's home sat under more than 4½ feet of flood water. She lost everything, and she and her husband and her 6-year-old daughter had to start over. At first, they were able to move in with her mother. Then, with the help of her fellow church members, volunteers, using her own savings and a grant from FEMA, she was able to rebuild her home. Repairs are now in the final stages of her home. Now, more than a year after the rain drove them away, Edna and her family are finally on the verge of going back home.

This storm, however, did not just destroy homes; it also destroyed entire communities. The small town of Princeville is a great example. It was completely wiped out. Princeville residents lost their townhall; they lost their library, their police station, and their school. Of the 2,000 homes in Princeville, more than 1,000 were heavily damaged or destroyed. And Princeville residents are a very proud group. This is the first town in America that was established by freed slaves. Princeville's residents are working very hard to rebuild and preserve their historic town.

One year after the Princeville Montessori school was devastated by the floods, volunteers, State employees, students, and parents have rebuilt the school with the help of FEMA grants.

For all the successes we have had over the last year, there are still shortcomings in responding to this disaster. We have heard over and over—I and my staff—from worried and confused constituents, folks who had no idea where they were supposed to go.

Navigating the myriad programs that exist in the Federal Government to provide relief to hurricane victims is a time-consuming and sometimes very frustrating process. For example, there are Federal disaster programs within the Department of Housing and Urban Development, Department of Education, Small Business Administration, Department of Labor, Department of Energy—just to name a few. So it is very hard for folks whose lives and families have been devastated as a result of a natural disaster to know where it is they need to go to get the relief they need and deserve.

Sometimes, the assistance just doesn't come quickly enough. One example is Bobby Carraway, who owned a restaurant in Kinston NC, near the Neuse River. The river flooded, and his restaurant sat under more than 3 feet of water for many days. He lost his entire business. But with the help of his landlord, who let up on the rent, and his food suppliers, who told him he could pay when he could, neighbors who helped him clean up his business, and a large chunk of his own personal savings, he was able to reopen his restaurant.

Today, one year after Hurricane Floyd threatened to take his livelihood, Bobby is still waiting for the Small Business Administration to approve his loan. He should not have to wait so long, and residents such as Edna should not have to navigate through these confusing Federal and State programs, especially when they are dealing with devastation to family and emotional trauma caused by natural disasters such as Hurricane Floyd.

The biggest lesson we have learned from this storm is that the Federal, State, and local responses to disasters have to be better coordinated and must be more efficient.

Senator STEVENS from Alaska and I cochair the Natural Hazards Disaster

Caucus. Seventeen Senators have joined us. Our goal is to provide concrete steps that Federal, State, and local programs can work together to protect our residents, provide a more efficient response, and mitigate the cost and destruction of future disasters.

The Government can't make people whole again after a disaster, but we can, and should, be prepared to do all we can to help people get back on their feet.

We have made great strides in our recovery in North Carolina, but we still have a long way to go. Most Federal officials agree it will be another 2 years before eastern North Carolina has completely recovered. Today, hundreds of people will mark the anniversary of Hurricane Floyd in their FEMA trailers, where they live. We are facing a rental housing shortfall of about 4,000 units, and thousands of victims are facing many years of debt as a result of this disaster.

I am grateful to the Senate for including \$50 million for North Carolina for the USDA's Community Facilities Grant Program in the Agriculture appropriations bill. This money will make a real difference in a town such as Farmville, which needs help rebuilding its fire station.

I also want to take this opportunity to thank FEMA Director James Lee Witt and his entire agency for their dedication to helping those who simply could not help themselves.

Governor Jim Hunt has worked tirelessly to help the residents of our State. Most importantly, I want to take this opportunity to thank the people of North Carolina—the thousands of volunteers who, over the course of the last year, have responded heroically to the damage done and the devastation done to their neighbors and friends.

It has been a long year, and we still have a lot of work left to do. Hurricane Floyd's victims were innocent people, regular working people who have done nothing wrong but had everything taken from them as a result of this natural disaster. They deserve our continued support and dedication as they attempt to rebuild their homes and their lives.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRAMS. 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. GRAMS. Mr. President, thank you very much.

Mr. President, what is the order of business before the Senate?

The PRESIDING OFFICER. The pending business is H.R. 4444.

Mr. GRAMS. I would like to speak as if in morning business for up to 10 minutes.

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

Mr. GRAMS. I thank the Chair.

#### REPEAL OF THE MARRIAGE PENALTY

Mr. GRAMS. Mr. President, I wanted to take time before leaving for the weekend to be here to express my strong disappointment with President Clinton and his Democratic allies in the Congress who have once again denied millions of American couples marriage penalty relief.

On August 5, President Clinton vetoed the Marriage Tax Penalty Relief Reconciliation Act. This week, due to strong opposition from some of our Democrat colleagues, the House fell 16 votes short of the number needed to override the President's veto, thus letting down 22 million American couples, including 550,000 couples from my state of Minnesota.

These hard-working Americans are penalized, on average, \$1,500 per year simply because they are married. This \$32 billion annual tax burden is extremely unfair to these working men and women.

Washington is taking this money from American couples at a time when it doesn't need the money as much as these families do. This money could be used for savings for their children's education, for daycare, for tutors, for braces, for a new washer/dryer, for a family vacation, or for a down payment on a car.

For President Clinton and his Democrat allies in the Congress to deny working men and women this desperately needed tax relief is not only wrong, it is a disgrace.

It is shameful that their spending appetite is growing bigger each year and faster than the incomes of American workers and all of the people across this country who simply choose to get married, start a family, to begin their lives together, and at the altar they have the IRS standing with them.

Since 1969, our tax laws have punished married couples. There are more than 60 provisions in the tax code that penalize working American couples by pushing them into a higher tax bracket, punishing them because of their decision to be joined in holy matrimony.

This was not the intention of Congress when it separated tax schedules for married and unmarried people. It also runs contrary to our often-stated desire to strengthen the institution of the family in America a desire that was reaffirmed with the enactment of my \$500 per child tax credit legislation.

The family has been, and will continue to be, the bedrock of our society. Strong families make strong communities; strong communities make for a strong America. We all agree that this marriage penalty tax treats married couples unfairly.

President Clinton himself agrees that the marriage penalty is unfair. He has said that. He believes the marriage

penalty tax is unfair, but he vetoed a bill that, by the way, was a compromise, calling into question his resolve to reverse this inequity that he called unfair. But evidently the President believes it is more important for Washington to collect unfair taxes than it is to give tax breaks to working Americans. He uses any and all excuses he can find to keep as many dollars as possible coming into the Government's coffers. Even at a time of huge surpluses, he refuses to let American couples keep a little bit more of their own money.

We are not even talking tax cuts; all we are talking about is tax overcharges that should be returned. If you overpay a bill, you expect to get your change back. If you go to McDonald's and the meal is \$5 and you give them \$10, you expect to get your change back—or for any kind of a transaction. In this transaction, you should be able to expect to get your money back. On a marriage penalty which is unfair, you should at least be able to get your refund. But despite the rhetoric of this administration suggesting otherwise, the Clinton and Gore administration and its Democratic allies in Congress are not serious about correcting this unfair tax penalty.

Out of eight budgets the Clinton/Gore administration proposed, only one included a tiny bit of relief for married couples. Their paltry marriage penalty relief means millions of couples would not receive the tax relief they want and need. In fact, the President's plan was less than 25 percent of the plan that was sent to him, which would mean that out of 100 couples, he would say 75 married couples don't deserve tax relief even though they are unfairly taxed. A minor, paltry tax relief was proposed by this administration.

Today, families pay more in taxes than they do for food, clothing, and shelter combined. Something is wrong when parents work more to provide for the government than they do for their own families. It is time for the government to contribute to the strengthening of the family, rather than aiding its breakdown.

There is no legitimate policy reason to continue punishing millions of American couples through this unfair marriage penalty.

By denying Americans marriage penalty tax relief, President Clinton and his Democrat allies in the Congress have shown that they care less about working couples who are struggling to raise families. They care more about dumping money into Washington's coffers. By continuing this bad tax policy that discourages marriage, they will force millions of married couples to pay more taxes to support a big government rather than being able to provide better for American families.

By denying Americans marriage penalty tax relief, President Clinton and his Democrat allies in Congress have chosen to continue to discriminate against working women. Since more

and more women work today, their added incomes drive their households into higher tax brackets unfairly, reducing their take-home pay.

By denying Americans marriage penalty tax relief, President Clinton and his Democrat allies in Congress have done harm to the minority, low-income families whom they claim to help, because the marriage penalty hits lower-income working families hardest.

This is not a tax cut for the rich, as this administration always loves to say. Anytime there is any tax relief out there, it is always somehow for the rich. But this hits hard-working, middle-class, middle-income families.

In fact, President Clinton has denied relief for couples at the bottom end of the income scale who incur penalties. As a result of the marriage penalty, they paid nearly \$800 in additional taxes, which represents 8 percent of their income.

So what about that? This is not tax relief for the rich.

By denying Americans marriage penalty tax relief, President Clinton and his Democrat allies in Congress have undermined the family the institution that is the foundation of our society by discouraging women from marriage, or even leading some married couples to get friendly divorces.

This is just plain wrong.

To President Clinton and Vice President GORE, I would consider asking you once again to put aside the election-year politics and reconsider your veto on our marriage penalty tax relief that would help millions of couples live the American Dream. I would ask that. But I know it would be a waste of time. And so do millions of Americans. I know and they know we'll have to wait for a President that is more sympathetic to those who work everyday rather than big government.

To ask this President to reduce or sign this bill I guess would be a waste of time, because I believe, as do millions of Americans, that we will not see one dime of tax relief as long as he is in the White House. We need another President who is going to be more sympathetic to those who pay the bills. I always call them the most used and abused and underappreciated people in the country. That is the people who pay the bills—the taxpayers.

To the 44 million Americans, including 1.1 million Minnesotans, who suffer from this unfair penalty, I want to pledge that we will repeal this marriage tax bill next year and we will not rest until our Tax Code becomes truly family friendly.

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

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

WEN HO LEE

Mr. SPECTER. Mr. President, I have sought recognition to comment on a number of matters. First, the situation with Dr. Wen Ho Lee has drawn national—really, international—attention, especially in light of President Clinton's statement yesterday that he was deeply troubled by the actions of the Department of Justice and the Department of Energy.

The President put his finger on the critical question; that is, how could it be that on one day Dr. Wen Ho Lee was a major threat to national security, and on the next day the Government agreed to a plea bargain on one count, without jail time or without probation, allowing him to walk out free?

The President was sharply critical, especially of the actions of the Attorney General, who had a rather extraordinary interview with the media yesterday. She was asked about the Wen Ho Lee case and she said that, had Dr. Lee cooperated with the Government, a result could have been achieved a long time before on the disclosure of what had happened with the tapes. But the problem with that answer is that the defense had offered the Government precisely what the Government finally got; that is, Dr. Lee's cooperation on what had happened to those downloaded materials. That offer had been made months ago, but the Government had never replied to that offer. So it is hardly an excuse for Attorney General Reno to say had Dr. Lee cooperated, the matter would have been resolved a long time ago.

Then she was asked a question relating to any mistakes or anything that was done wrong in the handling of Dr. Wen Ho Lee's case. She said she was going to have to review the record to answer that question—which is really extraordinary, since she is the Attorney General and this matter was under her direct, personal supervision. That is a fact we know because in August of 1997, FBI Director Louis Freeh sent one of his top deputies, Assistant Director John Lewis, to Attorney General Reno personally to ask for authorization to submit to the court an application for a warrant under the Foreign Intelligence Surveillance Act. At that time, the FBI had provided a statement of probable cause which was more than sufficient to have the warrant issued.

Attorney General Reno then referred that request to a man named Daniel Seikaly in the Department of Justice, a man who had no prior experience with warrants under the Foreign Intelligence Surveillance Act. The wrong standard was applied.

This has all been documented in a report submitted by the Judiciary subcommittee, which I chair, on oversight of the Department of Justice. And ultimately notwithstanding the request from the Director of the FBI through a top deputy to the Attorney General personally, that request for a FISA warrant was refused. Attorney General Reno doesn't have to study the matter further to acknowledge that mistake.

Then the FBI let the case languish until December of 1998 without any active investigation. It was only when the Cox committee was about to publish its report, as rumored in late December, 1998, and as it came to pass in early January, sharply critical of the way the Wen Ho Lee case was handled, that a polygraph was ordered by the Department of Energy. The polygraph was not taken by the FBI, but taken by an outside contractor, Wackenhut. That was done on December 23, 1997. And the initial report was that Dr. Lee had passed the polygraph, had not been deceptive—grounds for discontinuing the investigation.

It was only several weeks later when the FBI got the tapes and reviewed them and found that the Wackenhut conclusion was not accurate; that there was not exoneration of Dr. Lee.

Then it appears that, finally, when the Department of Justice was thoroughly embarrassed, they really threw the book at Dr. Lee by holding him in detention in really extraordinary circumstances, in leg irons. I have seen prisoners held in leg irons. I witnessed that in Pennsylvania's correctional institution when I was district attorney. Do you know the reason you hold somebody in leg irons? Because they are so violent they threaten risk of bodily injury or worse to the guards who have to deal with them. What possible justification was there for treating Dr. Lee in that manner? And the restrictions which the Government imposed on Dr. Lee? There has been comment, unattributed sources, to law enforcement officials, that what was really in mind here was to coerce a guilty plea from Dr. Lee. The Government apparently thought he was guilty and they were thoroughly embarrassed with the way they had botched the case. What other explanation is there for the way Dr. Lee was treated?

These are fundamental questions which our subcommittee will look into, on oversight of this matter.

There are two aspects of this matter, really. One aspect is what, if anything, did Dr. Lee do to endanger national security? In the application for a search warrant, the Government laid out a long list of reasons stating probable cause for the issuance of that search warrant. Matters that had gone back as early as 1982 involving a great many suspicious activities, so that when the warrant was not issued, notwithstanding the request directly to Attorney General Reno, and when the investigation was, in effect, dropped—really languishing, but in effect dropped for some 15 months—we do not know, on this state of the record, what the quality of the evidence was which led to the indictments.

It is not a sufficient answer, any of them which have been given, because the issue of national security is of the utmost importance.

The subcommittee has in final stages a report on Dr. Peter Lee, who confessed to giving the People's Republic

of China key information on nuclear secrets and also on detecting our submarines. That case was another comedy of errors, except it wasn't so funny—"comedy of errors" I think is the wrong words—horrendous errors, where there was miscommunication between the Justice Department in Washington and the assistant district attorney who was trying the case. Dr. Peter Lee finally walked out with probation, notwithstanding the very serious charges brought against him.

Beyond the issue of national security, there is the question as to the treatment of Dr. Wen Ho Lee, his constitutional rights, and whether he was fairly treated. There have been calls for Attorney General Reno's resignation, and the resignation of Secretary of Energy Richardson. I was asked about that earlier today on television and I declined to call for those resignations. I think it is too often that Members go to the klieg lights and make those demands.

I was then asked what would be effective, what could be done. And I was asked whether the President ought to fire the Attorney General.

Based on what the President has said, and the very troubled record which Attorney General Reno has had with Waco and with her decisions on independent counsels, that is something which would be meaningful, if the President really is concerned.

#### FIRESTONE TIRES AND FORD VEHICLES

Mr. SPECTER. Mr. President, on another subject, I wish to comment briefly on legislation which will be introduced today in response to the tremendous problems posed by the Firestone tires and the Ford vehicles which turned over, and some 88 deaths. The Appropriations Subcommittee on Transportation, on which I sit, had a hearing on this subject on September 6, 2000. At that time, we heard comments, explanations, excuses which strained credulity. I then introduced legislation which would make it a criminal offense for someone to knowingly put on interstate commerce a deadly product which was likely to result in death. This is based on the experience I had as district attorney of Philadelphia, where reckless disregard for human life, which results in death, constitutes the requisite malice for a charge of murder in the second degree.

I have discussed this provision with the distinguished Senator from Arizona who held a hearing on the matter this week, and the administration has submitted legislation which I am told will be introduced later today. I wanted to make a comment briefly at this time since I know we will be going out early.

I compliment Senator MCCAIN for this legislation which will require motor vehicle manufacturers and equipment manufacturers to obtain information and obtain records about potential safety defects in their foreign



products that may affect the safety of vehicles and equipment in the United States.

The legislation will increase the civil penalties for notification of reporting violations; will establish greater cooperation with foreign transportation safety agencies with the exchange of safety-related information and the recall of defective products; and requires additional testing to determine that a vehicle or equipment meets safety requirements.

I am advised that there is coordination with the House and an excellent opportunity that this legislation will be completed before we finish our term, which would be exemplary and which would really show the American people that when we have a very dangerous situation brought to our attention, we will take action.

I am very pleased to see this legislation will include the proposals I have for criminal penalties. In a floor statement made on September 7, 2000, I documented 10 illustrative cases where deadly products had been put on the market knowing them to be deadly and knowing that they contained the risk of death or serious bodily injury. That constitutes the requisite malice for a prosecution. That will be an effective way of dealing with this issue.

The remedy of punitive damages has been illusory. Take the celebrated Pinto case where a calculation was made by Ford that it was cheaper to pay the damages resulting from injuries and deaths than it was to relocate the gas tank. A jury came in with an award of \$125 million, later reduced to \$3.5 million, which is the customary response where these punitive damage awards have been entered.

#### COMPLIMENTING PALESTINIAN AUTHORITY

Mr. SPECTER. Mr. President, I compliment the Palestinian Council, the Palestinian Authority, and Chairman Arafat on their decision not to declare an independent state which had been proposed for September 13. I had urged Chairman Arafat not to declare an independent state when that was proposed last year, and I said at that time that if they desisted, I would make a statement on the Senate floor complimenting them on moving forward.

I say today that their decision is an important one, a good one, and one which will provide a better basis for further negotiations on the Mideast peace process.

#### ISSUANCE OF A COMMEMORATIVE POSTAGE STAMP HONORING JOHN B. KELLY, JR.

Mr. SPECTER. Mr. President, the Olympic Games, set to begin today in Sydney, Australia, will feature rowing, which brings to mind the great rowing tradition which has been a part of Philadelphia for generations. It also brings to mind John B. Kelly, Jr., a

Philadelphia native who not only made great strides in the sport of rowing, but who personified the ideal of an Olympic athlete.

John B. Kelly, Jr., better known as "Jack" or "Kel," came from a distinguished family, on and off the water. His father won three gold medals in sculling in the 1920 and 1924 Olympics. His sister Grace was the late Princess of Monaco.

After graduating from the William Penn Charter School, Jack enlisted in the United States Navy. After a short term of service, he attended the University of Pennsylvania where we were college friends in the late 1940's and early 1950's. He was a member of the Kappa Sigma social fraternity and was honored with a membership in the Sphinx Senior Society for his extracurricular accomplishments. Upon graduation, he was commissioned as an ensign, combining duty on a destroyer with his preparation for the 1952 Olympic games in Helsinki.

By the time he hung up his oars, he had advanced the cause and the international name of American rowing and American sports. Jack was an eight-time national single sculls champion, four-time Olympian and bronze medalist in single sculls in 1956, and winner of two gold medals in the Pan American Games in 1955 and 1959. He was also the winner of the Diamond Sculls in the Henley Regatta in 1947 and 1949, a race from which the British had banned his father, purportedly because he worked with his hands and was not considered to be a gentleman.

The winner of the 1947 James E. Sullivan award as the nation's outstanding amateur athlete, Jack was a leading advocate for amateur sports for more than 30 years. Following the 1960 Olympic games, Jack became active in the local swimming program in the Middle Atlantic Association of the Amateur Athletic Union. In 1970 he was elected President of the National Amateur Athletic Union, the youngest person to hold that office in more than 80 years. In 1985 he assumed the presidency of the United States Olympic Committee, and served in that capacity for three weeks until his untimely death on March 2.

Philadelphia honored its native son by erecting a statue of Jack rowing, along the Schuylkill River, and also by renaming the drive along the boat-houses on the Schuylkill River in honor of the Kelly family. I believe it would be appropriate for the United States to honor Jack through the creation of a commemorative postage stamp, which would pay tribute to his accomplishments as a world class athlete and to his contributions to our nation and to international athletics and goodwill.

I urge my colleagues to join me in calling upon the Postmaster General to issue this stamp in a timely manner.

The Olympics started today. Jack Kelly, Jr., has a monument on East River Drive which was renamed "Kelly

Drive" in honor of the Kelly family, a very distinguished Philadelphia family. Father John B. Kelly, Sr., an Olympic gold medalist, was once denied entry into the Henley Regatta because he was someone who worked with his hands, a bricklayer; therefore, not considered a gentleman and, therefore, not entitled to enter into the competition.

His son John B. Kelly, Jr., made up for all of it. I knew young Jack Kelly as a student at the University of Pennsylvania where we attended together. The family achieved perhaps its greatest notoriety from Princess Grace of Monaco being Jack Jr.'s sister.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

#### AMERICAN COMPETITIVENESS IN THE TWENTY-FIRST CENTURY ACT

Mr. HATCH. Mr. President, I rise this afternoon to implore my colleagues to work with me in moving the American Competitiveness in the Twenty-first Century Act, S. 2045, toward enactment.

One of our greatest priorities is—and ought to be—keeping our economy vibrant, and expanding educational opportunities for America's children and its workers.

That is my priority for this country and that is my priority for my home State of Utah.

I am proud of the growth and development in my own home State—growth that has made Utah one of the leaders of the world in our high tech economy.

Utah's information technology vendor industry is among Utah's largest industries, and among the top 10 regions of IT—or information technology—activity in the U.S.

Notably, Utah was listed among the top ten IT centers in the world by Newsweek magazine in November 1998.

The growth of information technology is nowhere more evident and dramatic than in my own home State of Utah.

According to the Utah Information Technologies Association, our IT vendor industry grew nearly 9 percent between 1997 and 1998, and consists of 2,427 business enterprises.

While I am on the subject, let me just also note that just a couple of weeks ago, a major high-tech company in Utah announced the layoff of several hundred Utahns. We have several indications that alternative jobs are available.

I continue to watch this closely. I certainly want these skilled and talented people to remain in our State rather than being hired by other companies in other States.

In Utah and elsewhere, our continued economic growth, and our competitive edge in the world economy require an adequate supply of highly skilled high tech workers. This remains one of our great challenges in the 21st century, requiring both short- and long-term solutions.

The American Competitiveness in the Twenty-first Century Act, S. 2045, contains both.

In the short-term, a tight labor market, increasing globalization, and a burgeoning economy have combined to increase demand for skilled workers well beyond what was forecast when Congress last addressed the issue of temporary visas for highly skilled workers in 1998. Therefore, my bill, once again, increases the annual cap for the next three years.

That, Mr. President, is nothing more than a short term solution to the workforce needs in my State and across the country.

The longer term solution lies with our own children and our own workers; and in ensuring that our education and training of our current and future workforce matches the demands in our high tech 21st century global economy.

Thus, working with my colleagues, I have included in this bill strong, effective, and forward-looking provisions directing the more than \$100 million in fees generated by the visas toward the education and retraining of our children and our workforce.

Those provisions are included in the substitute which I am prepared to offer today.

We are here, today, however, as this session of Congress comes to a close, with the fate of this critical legislation extremely uncertain.

Frankly, when this bill was reported by the Committee, I thought we were on track to move this rapidly through the Senate.

I offered to sit down with other Members—including my colleague from Massachusetts, Senator KENNEDY, my colleague from California, Mrs. FEINSTEIN, and my colleague from Connecticut, Senator LIEBERMAN—to work with them on provisions regarding education and training. We have done that.

And, I as I have noted, I am pleased to report that the substitute which I intend to offer to this bill, reflects the majority of their ideas and proposals.

Quite unexpectedly, however, the White House weighed in with what sounded to me like an ultimatum tying passage of this to other unrelated, costly and far reaching immigration amendments.

Mr. President, I hope we can get this done.

I know the majority leader filed cloture earlier today on a motion to proceed.

I look forward to working with my colleagues in the coming days to try and avoid a confrontational process.

Again, I hope we can get this done for American workers and children and for our continued economic expansion.

I am grateful to be able to say these words today because I want to move this bill forward. It is in the best interest of our country. It is in the best interest of our high-tech community. We are talking about nanotechnology technology, quantum computers, all

kinds of educational projects in which, literally, this Nation needs to be the leader. The only way we are going to be the leader is if we continue to accentuate the positive by having the best high-tech minds working with us.

Many of these people for whom we want to allow visas are people who have been educated in our country, given our education and given our information. Frankly, it is much to our advantage to have some of them have the privilege of working here before they go back to their own countries. This bill will help to resolve that. To have it enmeshed in politics, as the White House has tried to do, is a tremendous, incredible mistake.

I hope the President and those who are advising him will back off. Let us pass this bill and keep the United States at the forefront of the high-tech revolution.

That is my goal. As everyone knows, I have worked very hard in this area. I daresay there is probably no more important bill in this Congress, as far as the information technology industry and the high-tech community are concerned, than this particular bill. There are others that rise to its equal, but nothing rises beyond it.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CRAIG. 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. CRAIG. Mr. President, I ask unanimous consent that I be allowed to proceed in morning business and to consume such time as I may need.

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

#### COMPLETING THE BUSINESS OF GOVERNMENT

Mr. CRAIG. Mr. President, I know we are at or near the close of business of today's session of the Senate. I thought it important that we end up the week with a bit of an analysis of where we are and where we have to get in the next several weeks to complete the business of Government, to fund the necessary agencies, and to be responsible to the American people as it relates to the expenditure of their tax dollars.

As most all Americans understand, we are now, fortunately, living with a balanced budget at our Federal Government level; that is, current operating budgets. Many of us in Congress for decades fought to get this budget balanced. It became balanced during a period of unprecedented economic growth in our country. I believe that a balanced budget contributed dramatically to that growth.

At the same time as we worked to continue to balance that budget, many

of us had wanted to now take some of the unprecedented surpluses of tax dollars that are coming into us and return them to the American taxpayer. We tried to do that this year in two forms: In the reduction or the elimination of the marriage tax penalty, about \$1,400 per married couple; and in the near elimination of the death tax; in other words, the taxing of citizens of their wealth or their estates upon the incident of death. Those are two items extremely popular with the American people.

Yet in trying to do that, we were told by this administration and by many of my colleagues on the other side that it would wipe out this surplus tax dollar amount—many statements such as that that couldn't be any further from the truth. The reality is that for those two tax packages that were passed by Congress and now vetoed by the President, we are talking of about a dime, one dime out of every surplus dollar, your surplus tax dollar, to be projected to come in to our Government over the next decade.

Be that as it may, that is a problem we face. So here we are now working to finalize the work of the Government in the next 3 weeks, and we have an inordinate amount of work to get done. One of my frustrations as a leader on this side in trying to move the process along is that, for the last 6 months, we have heard the rumor, and we have watched the actions of the minority leader and the folks on the other side, which would indicate there was a stalling tactic going on, that somehow they didn't want to get the work done in a timely fashion, that they constantly objected to unanimous consents, and they asked for votes time after time on issues we had already voted on and had been thoroughly debated on the floor of the Senate, from which the political answers had come flowing forth on the debate.

Let me give a couple of examples. I am one of those who always comes to the floor when there is a gun debate. Somehow, the other side is saying we have to have more votes on gun issues. Well, I will say this: We have already had 13 votes this session on the gun issue. I am not quite sure how many more we need, or will need, to express to the American people the intent of Republicans versus Democrats versus individual Senators as it comes to this issue.

We have had rollcall votes on amendments 403 times; Democrats have proposed 231 and Republicans have proposed 172. Many of these amendments never would make it into policy and had been refused by the authorizing committees but were here either for time taken or for political expressions being made—not for substantive policy reform because we knew it would not happen.

On the issue of "Kennedy Care," or health care, we have already had eight votes; and we still are being asked to take more votes on the prescription

drug issue, a Government-run proposal on the part of some. We have had seven votes on that. How many votes does it take to express to the American people the intent of this Congress or this Senate when it comes to a given issue? A once-a-week vote? A once-a-day vote? How about one thorough debate and one vote up or down? That clearly expresses the will and the intent of individual Senators.

This last week we have had a very significant debate on the normalization of trade relations with China, known as PNTR, permanent normal trade relations. It is a very important debate and it was handled very well. Most of the amendments have been constructive. But while we have been trying to do this, recognizing our work schedule we have been trying to do a couple of other things. For example, we have been trying to offer up additional amendments, or appropriations bills, or conference reports that will finalize the work of Congress. This is what has happened. It confirms what many expected was true and that was an attempt to slow-roll us or stall us so we could not get our work done.

Here is a quote from the USA Today of Friday, September 8. It says:

Senator Minority Leader Tom Daschle has a simple strategy for winning the final negotiations over spending bills. Of course, those are the key items that we must finish to finish the work of the Congress so we can adjourn. What is it?

He said:

Stall until the Republicans have to cave in because they can't wait any longer to recess and get out on the campaign trail.

Of course, the logic is simple if you are an insider and you know the workings of the Senate and you know how many are up for reelection.

That is because 18 of the 29 Senators seeking reelection are Republicans and 11 are Democrats. There are a lot of vulnerable Republican Senators. I know they want to go home badly.

So what is the tactic? Stall, object. One Senator can come to the floor and all he or she has to do is say: Mr. President, I object. That simple action in itself can either take hours or days of debate and break down the process. It can be called a filibuster, or gaining cloture on a vote; but ultimately, and without question, it is a stalling tactic—especially now in light of what the minority leader says.

Finally, TOM DASCHLE has come clean. He has openly and publicly said their tactic is to stall. What does stalling really get us? To some who believe in big government, it could probably get them tens of billions dollars more in money to spend on Government programs and, in some instances, more Government control, more Government mandates and, frankly, more Government in your back pocket.

People of my thinking would suggest that is bad policy. But the dollars we are talking about, the surplus dollars that we tried to get back to the American people in the form of tax relief,

which was vetoed this year by the President, is the kind of money they now want to spend. Oh, these Republicans, if we just stall on them, they are so anxious to go home that they will buy their way out of it in the final hours of the 106th Congress.

Senator DASCHLE, Democrats, listen to me, please. We are not going to buy our way out of it. I don't want to buy our way out of it. The American taxpayers don't want us to buy our way out of it. They want good, sound policy, recognizing important programs. But they also know we are increasing Government spending at a near record rate now and, at the same time, we truly do have a surplus that ought to go home to the American taxpayer from whence it came. It is not our money; it is the taxpayers' money.

That is why Senator LOTT, the majority leader of the Senate, and Congressman DENNIS HASTERT, the Speaker of the House, in a meeting with President, said: Mr. President, let's take 90 percent of the surplus, if you are not going to let us give it back in taxes, and let's use it to pay down the debt; 90 percent of the surplus could go against the debt. That leaves 10 percent of the surplus to spend on programs.

Well, they can't even agree with that on the other side, when the American people are clearly saying: Give us tax relief. But if you can't do that, pay down the debt.

For gosh sakes, don't spend that money. Get Americans debt free. Buy down that nearly \$6 trillion debt in a way that is manageable, responsible to the economy—but, most importantly, in a way that is responsible to our young people and to their futures. It is a debt they will, obviously, have to assume.

Mr. Daschle's answer is to stall. How do you stall? This is how you do it. When the leader comes to the floor and asks unanimous consent that H.R. 3615, the Rural Local Broadcast Signal Act—simple but important, and it is called the rural satellite bill—is ready to go, somebody from the other side stands up and says, "I object." Senator LEAHY did that for Senator DASCHLE.

Stalling tactic? You bet. I call that stall No. 1. Here is stall No. 2: H.R. 1776, the national manufactured housing construction bill. It has 32 cosponsors, including Democrats such as Senators BRYAN, CLELAND, and HOLLINGS. The Leader requested, on September 8, to go to a conference to solve our problems. This is for safety requirements for manufactured housing. Senator LEAHY, for Senator DASCHLE, said, "I object." Stall No. 2.

Stall No. 3, H.R. 1259, Social Security and Medicare Safety Deposit Act, the lockbox: Democrats and the President are trying to take credit for that right now. They fought us for a year on it. Senator ASHCROFT of Missouri was the one who came up with the idea. News stories are replete about Republicans talking about that idea for the last

year and a half. And now, of course, because some folks on the other side of the aisle want credit when we proposed bringing that up to debate it, to have it, and to truly protect Social Security revenues, oops, stall No. 3.

This time Senator DASCHLE himself came out and objected to reaffirm what he said to USA Today on September 8. They won't even let that go.

Here is stall tactic No. 4, four district judges: We have been criticized all year because we won't confirm the judges the President has sent up. Majority Leader TRENT LOTT brings the judge bill to the floor, judges the Democrats want, judges the Republicans want, but, most importantly, judges that this President sent up. He brought the judges to the floor. Let's see. He brought a judge for Senator DURBIN; he brought a judge for Arizona, and everybody agreed on these judges; DASCHLE himself objected, stall tactic No. 4.

These are just functionary, important kinds of necessarily "get done if you can" kinds of things. We have time to do it. It doesn't require lots of debate. But it clearly appears to me that no action goes forth. And if we can stop that action, surely those Republicans in time will cave.

Here is stall tactic No. 5, intelligence authorization: A request to go to the conference with Democrat amendments submitted to DASCHLE through a staff channel on September 7—no response from DASCHLE or others—with an indication that Democrats are preparing additional amendments, stall tactic No. 5.

My goodness, aren't we going to get these authorizations done? They are very important.

Here are four nominations to the U.S. Institute for Peace. I am not going to stand here and suggest the Democrats aren't for peace. We are all for peace. But at least they objected to moving nominations on the Institute for Peace; stall No. 6.

A document that made stall No. 7 happen on the 13th of this month was a major report coming out of our Federal Government saying that violence in the media, violence in video games, violence on television, and violence in the movies is truly producing a culture of violence that could and appears to be translating into violent youth of America with young people witnessing over 100,000 acts of violence, actually watching on television, although acted and cast—8,000 murders during their young lifetime. Somehow that is important. We have been talking about it for years as being darned important.

Senator JOE LIEBERMAN, now Vice-Presidential candidate, proposed what is known as the "Media Violence Labeling and Advertising Act of 2000." Senator JOHN MCCAIN supported him. It is bipartisan with Democrats and Republicans, and now a national issue made true by studies and analyses of our Federal Government as to the impact on young people. We brought it to the floor. That is S. 2497, bipartisan

legislation, and there was objection to the unanimous consent to move it forward.

For the week, that is stall tactic No. 7.

What will next week hold? We are going to conclude PNTR on a vote on Tuesday, I believe. We have numerous appropriations bills that ought to be dealt with. Hopefully, we can and will deal with them and in doing so pick up the pace around here and get our work done so that we can adjourn—so that we can send a very clear message to the American people of the intent of this Congress to balance the budget; to hold sacred the Social Security surplus; to make sure that we deal with health care in a responsible way for our citizens; hopefully that we could give back a few of these surplus tax dollars, but if we can't do that, at least dedicate a large portion of it to debt buy-down so that young people in their lifetime won't have to finance the debt structure of the generation before them.

Those are responsible and right things to do, and I hope we can do them. But I will be back next week to talk probably about stall tactic No. 8, No. 9, No. 10, and No. 11. At least I am going to until the minority leader comes to the floor and he recants and says that he didn't say this or that this isn't a strategy because if it is a strategy, it is bad politics, and it is darned bad government to simply say, no, we are not going to work until we get the right to spend billions and billions of dollars of more money. That is not bipartisan. Most importantly, that is bad policy.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

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

#### MORNING BUSINESS

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

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

#### PRESCRIPTION DRUGS AND PREVENTIVE CARE: THE KEY TO TRUE MEDICARE REFORM

Mr. GRAHAM. Mr. President, yesterday I started the first of what will be five or more brief statements on issues related to the subject of the Federal Government providing a prescription medication benefit to Medicare recipients.

Yesterday, I opened this series with a discussion of what I consider to be the most important reform required in the

Medicare system; and that is reforming a 35-year-old health care system which was established to provide acute care; that is, care after an illness had matured into a major condition, or after an accident had caused a person to require specific medical attention largely in a hospital setting.

What was not included as part of the 1965 Medicare program was an emphasis on what seniors want today; and that is, they want a system that will not just treat them after they are seriously ill but to have treatment that will avoid or reduce the impact of those illnesses through effective preventive strategies.

Those preventive strategies have many components, including regular screenings for those conditions that can be detected at an early time; and then the management, through a variety of sources, of those chronic conditions so that they do not mature into serious health concerns, in some cases even death.

To me, the conversion of Medicare from a sickness program to a wellness program is the fundamental reform that this Congress must achieve.

If we are going to have this new orientation on wellness, prescription drugs will play a critical role. Prescription drugs are a part of almost every methodology of managing a medical condition which, if not appropriately managed, could mature into serious complications. Prescription drugs are a key to providing true quality preventive care for our senior citizens.

My point is illustrated by an example.

Mrs. Jones is a Medicare beneficiary. She has, like an increasingly large number of Medicare beneficiaries, no drug coverage. Unfortunately, Mrs. Jones also has diabetes, hypertension, and high cholesterol. These are three conditions which in the past would have been debilitating, even fatal. Today, thanks to the miracle of modern medicine, Mrs. Jones can treat these conditions and continue to live a healthy life.

Mrs. Jones is likely to be treated with Glucophage, Procardia XL, and Lipitor.

The annual cost of Glucophage will be \$708. The annual cost for Procardia XL will be approximately \$500 to \$900, depending on whether 30 or 60 milligram tablets are prescribed. The annual cost of Lipitor is approximately \$700. The total annual spending for these three drugs alone for Mrs. Jones will range between \$1,900 and \$2,300. These costs, for most seniors—I would argue, for most Americans—are likely to cause significant economic hardship. But if Mrs. Jones does not take these drugs, she will find her conditions raging out of control and will surely be a candidate for expensive hospital stays and surgery.

Those last two comments underscore the fact that this is a medical issue in terms of will we make available and affordable to our older citizens those

drugs which are available to manage conditions and avoid those conditions maturing into the need for expensive hospitalization, surgery, or even conditions that are beyond the ability of those heroic measures to stop the unending pace towards death. It is also an economic issue.

For most seniors, there are many years of preparation for retirement, preparation which is particularly oriented to assure that there will be an economic foundation under their retirement years. There are many challenges and risks to that economic foundation. Today the most prominent of those risks, the one which is most feared by millions of older Americans, is the fact that they will, in fact, be diagnosed as having some condition which, the good news is, is treatable and controllable. The bad news is, it will wreck their economic foundation to pay the cost of those drugs. We are dealing not only with an issue of medical humanity but also of economic security. We owe it to our Nation's seniors that they have the chance to live a full, healthy, and economically secure life in retirement. Prescription medications are a key to allowing them to do so.

When Medicare was established in 1965, Mrs. Jones may have benefited most by a system that provided effective hospital care, that did not have a particular focus on preventive benefits, where outpatient prescription drug coverage was not a particularly significant factor. But in the 35 years since that time, medical science and our set of values of what we want from our health care system have changed dramatically.

Today pharmaceuticals, not surgery, are the first line of defense against illnesses. The number of prescriptions for American seniors grew from 648 million as recently as 1992 to more than 1 billion in the year 2000. One example of this transition from surgery to pharmaceuticals is the treatment of ulcers. It used to be that the standard treatment was surgery. Today surgery for ulcers is a very rare event. What has happened is the substitution of effective pharmaceuticals to treat, remedy, and reverse ulcerous conditions.

A senior is better because he or she has avoided the necessity of intrusive surgery. Our taxpayers are better because they have avoided the cost of that surgery, and the senior is able to resume a normal quality of life.

We should think of preventive medication today as the anesthesiology of the last century. I have suggested that if Medicare had been created, not in 1965 but at the end of the Civil War in 1865, there would have been the same debate that we are having today over whether we should include anesthesiology. As we know from our study of Civil War history, it was not uncommon for very serious surgical procedures to be conducted without anesthesiology. Today we would think it to be

ludicrous to the extreme and inconceivably inhumane not to have anesthesiology as a core part of a health care system. I suggest that in a few years people will look back on this debate with the same shock and surprise that we thought there was any debate over the question of whether pharmaceuticals should be part of an appropriate humane health care system as we begin the 21st century.

Medicare beneficiaries should not have to choose between bankrupting themselves and their families or succumbing to a preventable disease. The key to modernizing Medicare is turning it from a sickness program to a wellness program. Prescription drug coverage is a crucial component of that change.

Let me give another example. A senior with gastrointestinal problems is most likely to be prescribed a drug known as Prilosec. Based on 1998 data from the Pennsylvania Pharmaceutical Assistance Contract for the Elderly program, which is the largest outpatient prescription drug program in the country, Prilosec is the second highest selling drug prescribed for seniors. The annual cost is \$1,455. For a senior who, for instance, is at 200 percent of the poverty level, \$16,700 per year, Prilosec will consume \$1 out of every \$11 of that senior's income. This price is very high for that senior. But the price the senior would pay if he or she did not take Prilosec is even higher. They would sacrifice an active, pain free life for one riddled with chronic pain.

This body should recognize that prescription drugs are an integral part of a preventive care strategy for the Medicare program. As one of the primary guardians and trustees of the Medicare program, the Senate has the responsibility to reform and modernize Medicare so that it focuses on health promotion and disease prevention for all of our Medicare beneficiaries. It can improve the quality of life for older citizens through making this conversion from a sickness to a wellness program.

The Medicare program can also slow the cost to the taxpayers by making this transition. The cost of one senior, typically an older woman who falls and, because of her shallow bone mass, injures her hip and requires hospitalization, often surgery, and always a long and painful recovery period, the cost of that to the taxpayers is much greater than the cost of one of the preventive measures which is now being recommended but which is yet to be covered by Medicare; that is, effective hormone management techniques which will contribute to maintaining strong bone conditions and reducing the vulnerability to that kind of a serious mishap.

It has been proven time and time again that a combination of preventive services and appropriate medication can reduce the incidence of stroke, diabetes, heart disease, and other potentially fatal conditions.

Detailed programmatic changes—changes based upon the realization that prescription drugs and preventive services go hand in hand—are necessary to convert the current Medicare system into one that best serves our citizens by keeping them well as long as possible.

Mr. President, we are very fortunate to be living in an era of unprecedented prosperity. This period gives to us, the trustees of the Medicare system, an even greater responsibility and opportunity. We can use this period of prosperity to reform the Medicare program, to assure that our seniors will be able to live longer, healthier lives through preventive care and the treatments that are available to us today. To capitalize upon this opportunity we must provide a prescription benefit which is affordable and comprehensive for our Medicare beneficiary citizens.

I implore each of us to take advantage of this opportunity and use the funds that are available to us now to implement change that will benefit our seniors today, our children and grandchildren tomorrow.

We have discussed the need to reform the Medicare program to shift its focus from the treatment of illness to the maintenance of good health. We have discussed the critical role that prescription medications play in ensuring a successful preventive care strategy for Medicare. If we agree on these issues—and I believe there is broad consensus—the next question we must answer is: How should a prescription drug benefit be made available for our Medicare beneficiaries?

Next week, I will discuss the critical question of whether a prescription drug benefit should be part of the big tent of Medicare program, or if it should be placed as a sideshow act outside of Medicare. I look forward to discussing this with my colleagues next week.

#### BUSH HITS GORE ON DRUGS AND TAXES

Mr. GRAHAM. Mr. President, I want to close with a comment about an article that appeared in today's Washington Post under the headline, "Bush Hits Gore on Drugs and Taxes."

I ask unanimous consent that this article be printed in the RECORD immediately after my remarks.

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

(See Exhibit 1.)

Mr. GRAHAM. Mr. President, according to this article, there is a new 30-second ad being run that is entitled "Drugs and Taxes." According to the Washington Post article, the audio of this tape begins as follows:

Al Gore's prescription plan forces seniors into a government-run HMO. Governor Bush gives seniors a choice.

The Post, in its analysis of this statement, makes the following comment:

In a classic contrast ad furthering the theme that Gore is untrustworthy, Bush mis-

represents the vice president's drug plan. First, it isn't mandatory; seniors can opt for drug coverage or not. Second, Medicare recipients could remain in traditional choose-your-own-doctor plans. Drug payments would be administered through private cost-control groups—such as those now employed by the insurance industry—that are not "government-run" or health maintenance organizations. In fact, many analysts say Bush's plan, while providing choices, would encourage more seniors to join cost-conscious HMOs.

I only add to that analysis of this ad that it is interesting to me that the word "HMO" is inserted in the ad of Governor Bush as a pejorative. This Senate has been trying for the better part of the last 2 years to pass a Patients' Bill of Rights in order to lay out some basic standards of protection as they relate to the beneficiaries of HMOs, the citizens who look to the HMO to finance their health care, the providers—doctors and hospitals—who are the source of that health care, and the HMO which has received the premium dollars from the patients and is now called upon to pay the providers for the cost of services delivered to the beneficiaries.

It has been my position—and I believe today a majority of the Senate's, as well as a very strong majority in the House of Representatives—that it is a Federal responsibility to establish some basic standards of that relationship so that there will be a comfort level that people know what will be expected. They will know how they would be treated, whether it is in the emergency room, whether it is in access to a specialist physician, whether it is a woman's right to use her gynecologist as her primary care physician; all of those very intimate issues will have a known, federally established standard.

Yet in spite of that majority support in both Houses of the Congress, we have gone month after month after month unable to even have the conference committee report out a bill that we can debate and decide whether it meets the appropriate standards of providing those standards of treatment for patients, providers, and the HMO itself.

It is surprising to me, therefore, in that context that now Governor Bush apparently has concluded that the HMOs are sufficient pejorative that he can use them as the target of his attack of what we don't want in our health care system. I hope this ad might serve the probably unintended purpose of galvanizing an even broader coalition within the Congress behind the necessity for HMO reform and for the establishment of a basic set of patients' rights.

If Presidential candidate Governor Bush has seen the HMO as such a pejorative figure that he is now attacking it in his ads, that might send a signal as to what the American people want us to do in terms of beginning to rectify that negative image by providing some effective nationwide standards of Patients' Bill of Rights for HMOs.

So I will conclude with that side comment. I do hope that on this important issue of the provision of prescription drug benefits, we will deescalate the misrepresentation of both parties' plans. I happen to have my own strong preference as to which plan I think will best serve the needs of the American people, and particularly our 39 million Medicare beneficiaries, but I think we ought to treat both plans with the respect they deserve, have a full and serious debate on those plans, use the election of November 7 as a national referendum as to how we wish to proceed, and then if, unfortunately, we have failed to act on prescription drugs during the remaining weeks of this session, we would reconvene in January of 2001 with a President who has a mandate from the people for a clear direction, and we will respond to that mandate by effective action.

If we achieve that goal, then to the extent of this very critical issue, the democratic process is alive, healthy, and performing one of its fundamental functions of converting public aspirations into policy that will benefit their lives.

#### EXHIBIT 1

#### BUSH HITS GORE ON DRUGS, TAXES

(By Howard Kurtz)

Candidate: George W. Bush.  
Markets: Michigan, Ohio, Pennsylvania, Florida and 14 other states.  
Producer: Maverick Media.  
Time: 30 seconds.

Audio: "Al Gore's prescription plan forces seniors into a government-run HMO. Governor Bush gives seniors a choice. Gore says he's for school accountability, but requires no real testing. Governor Bush requires tests and holds schools accountable for results. Gore's targeted tax cuts leave out 50 million people—half of all taxpayers. Under Bush, every taxpayer gets a tax cut and no family pays more than a third of their income to Washington. Governor Bush has real plans that work for real people."

Analysis: In a classic contrast ad furthering his theme that Gore is untrustworthy, Bush misrepresents the vice president's drug plan. First, it isn't mandatory; seniors can opt for drug coverage or not. Second, Medicare recipients could remain in traditional choose-your-own doctor plans. Drug payments would be administered through private cost-control groups—such as those now employed by the insurance industry—that are not "government-run" or health maintenance organizations. In fact, many analysts say Bush's plan, while providing choices, would encourage more seniors to join cost-conscious HMOs. Bush's education plan does place more emphasis than Gore's on holding schools accountable, though the Texas governor would spend less. Bush's \$1.6 trillion tax cut would reach far more Americans than Gore's \$500 billion cut, which would be tied to specific behavior, and the Gore camp essentially concedes the point by saying that 40 million taxpayers, not 50 million, would get no benefit.

#### NATIONAL POW/MIA RECOGNITION DAY

Mr. LUGAR. Mr. President, today is National POW/MIA Recognition Day. As a Nation we remember and honor all those who were prisoners of war and

those who are still MIA. It is altogether fitting that they have this special day where we express gratitude for their service, for their sacrifices, and for the sacrifices of their families. We also take this day to assure the many families who still await the return of a loved one that we have not forgotten.

As a former Navy officer, I feel strongly that the United States Government must fulfill its commitments to the men and women who serve in the armed forces. One of these commitments is using every available means to ensure the return of POWs and MIAs at the end of hostilities. We must continue to support the vigorous pursuit of this commitment through on-site investigations being undertaken in Indochina and through a fuller examination of records in the United States, Russia and Asia. I would like us to renew our promise to the families and to the Nation to tirelessly fight for the fullest possible disclosure of information about the many Americans missing or unaccounted for from World War I, World War II, the Korean War, in Southeast Asia, and from the Cold War.

As we renew that promise, we can also count some accomplishments. In the past year, the remains of 49 Americans were returned from the war in Southeast Asia; however, 2005 Americans remain unaccounted for from that war—1,511 in Vietnam alone.

All year, veterans in Indiana and around the country have been holding commemorative events marking the 50th anniversary of the Korean War. This year has also seen progress in negotiations with the North Korean Government. In June, we witnessed a historic summit between North and South Korea, which could lead to further breakthroughs. Within the past three months, joint United States-North Korean remains recovery operations have returned the remains of 28 Americans. Since 1996, teams from the U.S. Army Central Identification Laboratory in Hawaii have conducted 15 such operations and recovered remains believed to be 68 soldiers. Though many of these MIA files were dormant for years because we had no diplomatic ties with the North Koreans, advances in DNA identification procedures create the hope that all of these remains will be identified.

This is a team effort and requires the firm commitments of the Congress, the Administration, the Departments of Defense and State, the Joint Chiefs of Staff and the National Security Agency. I am hopeful that all of us, through continued humanitarian support and dedicated diplomatic endeavors, will gain further information about the servicemen still missing to honor their sacrifice and provide peace of mind to their loved ones.

Mr. GRAMS. Mr. President, I rise to remind my colleagues that today is National POW/MIA Recognition Day. On this occasion, we should remember and pay tribute to the 2,005 soldiers, sailors, marines, and airmen who are still

missing and unaccounted for, and we stand in solidarity with their loved ones and families. I am humbled by, and grateful for their love of country and sense of duty and honor.

It is difficult not to feel uneasy amidst the mixture of somber thoughts and feelings of gratitude and pride that this day brings. Uneasy, because, while we are a nation at peace and the wars in which these men fought are long over, they have not all returned home.

These Americans swore an oath to support and defend the Constitution, and with great personal sacrifice, carried through on that promise to their nation. Undoubtedly, many endured years in starved, tortured, isolated misery. Their integrity and heroism are examples of the core values on which this nation was founded.

Today, I want to pay special tribute to the dedication and service of the soldiers from my home State of Minnesota who are or were POW/MIAs from the Vietnam war and the Korean war.

These great Americans and their families have the gratitude of this free Nation. Yet, we must not rest until all American POW/MIAs are returned and accounted for, and the many questions that have overwhelmed their families are answered. I urge the Senate, the administration, the Departments of Defense and State, the Joint Chiefs of Staff, and the National Security Agency to redouble their efforts to bring our soldiers home as quickly as possible. Let us all take heart from the POW/MIA flag, which is displayed every day in the Capitol rotunda and which I display proudly in my offices. "You Are Not Forgotten."

I ask unanimous consent to have printed in the RECORD a list of Minnesota's POW/MIAs from the Vietnam and Korean Wars.

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

#### MINNESOTA'S COLD WAR CONFLICT POW/MIAs

Eddie R. Berg, Air Force, Staff Sergeant.  
Warren J. Sanderson, Air Force, Captain.

#### MINNESOTA'S VIETNAM CONFLICT POW/MIAs

Howard L. Algaard, Army, Warrant Officer.  
Richard C. Anshus, Army, Lieutenant Colonel.

John F. Bailey, Air Force, Major.  
Charles J. Bebus, Air Force, Airman First Class.

Cole Black, Navy, Lieutenant Commander.  
Richard F. Bolstad, Air Force, Colonel.

Paul V. Carlson, Navy, Lieutenant Junior Grade.

Keith A. Christophersen, Navy, Lieutenant Junior Grade.

William R. Cook, Air Force, Lieutenant Colonel.

William J. Crockett, Air Force, First Lieutenant.

Benjamin F. Danielson, Air Force, Captain.  
Gale A. Despiegler, Air Force, Major.

David W. Erickson, Marine Corps, Private First Class.

David Everson, Air Force, Lieutenant Colonel.

Allen E. Fellows, Air Force, Major.  
Robert H. Flynn, Navy, Lieutenant Commander.

William S. Forman, Navy, Lieutenant.

Lawrence H. Golberg, Air Force, Captain.  
 Lawrence D. Gosen, Navy, Lieutenant Commander.  
 Gary J. Guggenberger, Army, Corporal.  
 Eugene A. Handrahan, Army, Corporal.  
 Stephen J. Harber, Army, Corporal.  
 Elroy E. Harworth, Air Force, Airman First Class.  
 Roger D. Ingvalson, Air Force, Lieutenant Colonel.  
 Kenneth R. Johnson, Air Force, Major.  
 Richard A. Knutson, Army, Warrant Officer.  
 Thomas C. Kolstad, Navy, Lieutenant Commander.  
 Melvin T. Krech, Navy, Petty Officer First Class.  
 Ronnie G. Lindstrom, Air Force, First Lieutenant.  
 Allen R. Lloyd, Army, Sergeant.  
 Lyle E. Mac Kendanz, Army, Staff Sergeant.  
 Marlow E. Madsen, Navy, Lieutenant Junior Grade.  
 William E. Mickelsen, Navy, Lieutenant.  
 Robert E. Mishuk, Marine Corps, Private First Class.  
 Patrick P. Murray, Marine Corps, Captain.  
 Clinton A. Musil, Army, Captain.  
 Patrick L. Ness, Navy, Ensign.  
 Barry A. Olson, Army, Private First Class.  
 Robert E. Olson, Air Force, Major.  
 Delbert R. Peterson, Air Force, First Lieutenant.  
 Trent R. Powers, Navy, Lieutenant Commander.  
 Michael E. Quinn, Navy, Lieutenant.  
 Gary L. Rehn, Marine Corps, Corporal.  
 Lavern G. Reilly, Air Force, Major.  
 Thomas E. Reitmann, Air Force, Captain.  
 John L. Ryder, Air Force, First Lieutenant.  
 Richard J. Schell, Army, Second Lieutenant.  
 John R. Schumann, Army, Major.  
 Francis L. Setterquist, Air Force, First Lieutenant.  
 Orval H. Skarman, Marine Corps, Sergeant.  
 Darrell J. Spinler, Air Force, Captain.  
 Danial A. Sulander, Army, Warrant Officer.  
 Roger W. Swanson, Army, Private First Class.  
 William E. Swanson, Navy Reserves, Lieutenant Junior Grade.  
 Leo K. Thorsness, Air Force, Major.  
 Dennis L. Toms, Navy, Seaman Apprentice.  
 Richard A. Walsh, Air Force, Lieutenant Colonel.  
 David R. Wheat, Navy, Lieutenant Junior Grade.  
 Richard D. Wiehr, Navy, Petty Officer Second Class.  
 Kurt M. Wilbrecht, Marine Corps, First Lieutenant.  
 David W. Winn, Air Force, Brigadier General.  
 Ronald L. Zemple, Navy, Seaman.  
 MINNESOTA'S KOREAN CONFLICT POW/MIAS  
 Glen Allen, Marine Corps, First Lieutenant.  
 Roy H. Anderson, Jr., Army, Corporal.  
 Arnold V. Andring, Army, Sergeant.  
 Henry L. Arionus, Army, Corporal.  
 James L. Ballantyne, Army, Corporal.  
 Weldon L. Bassett, Army, Corporal.  
 John W. Beebe, Marine Corps, Major.  
 Dwight M. Bergeron, Army, Sergeant.  
 James H. Belcher, Jr., Army, Private First Class.  
 Louis H. Bergmann, Air Force, Staff Sergeant.  
 Alfred J. Bernardy, Army, Corporal.  
 Robert Bjorge, Army, Private First Class.  
 Robert S. Block, Army, Private First Class.

Richard F. Boehme, Army, Private First Class.  
 John L. Bolster, Army, Private First Class.  
 Benny Bowstring, Army, Sergeant.  
 George E. Bradway, Army, Private First Class.  
 Arnold N. Brandt, Army, Lieutenant Colonel.  
 William E. Brandt, Marine Corps, Corporal.  
 Sylvester A. Braun, Army, Corporal.  
 James V. Briody, Army, Private First Class.  
 Donald Brooks, Army, Corporal.  
 Gerald L. Caldwell, Marine Corps, Private First Class.  
 Ralph W. Carlson, Army, Sergeant.  
 Jerry C. Christensen, Army, Master Sergeant.  
 Adrian L. Christenson, Air Force, Captain.  
 Edward W. Clarno, Army, Private First Class.  
 William Colby, Army, Corporal.  
 Elmer C. Dahn, Army, Corporal.  
 Rolland W. Demo, Army, Private First Class.  
 Williard M. Denn, Air Force, Airman First Class.  
 Gordon A. Dietrich, Army, Private First Class.  
 Harvey E. Dorff, Army, Corporal.  
 Donald J. Drama, Air Force, First Lieutenant.  
 Dewin G. Eklund, Jr., Army, Captain.  
 Gerald R. Emmans, Army, Corporal.  
 Dean J. Erickson, Air Force, Airman Third Class.  
 Eugene L. Erickson, Army, Private First Class.  
 William P. Faeth, Air Force, Staff Sergeant.  
 Richard M. Fairbanks, Army, Private First Class.  
 John D. Farley, Marine Corps, Lance Corporal.  
 Michael C. Fastner, Army, Master Sergeant.  
 Charles C. Follese, Army, Private First Class.  
 Robert D. Frisk, Army, Corporal.  
 Channing Gardner, Navy, Lieutenant Junior Grade.  
 John H. Gilles, Army, Second Lieutenant.  
 Richard E. Grauman, Army, Sergeant.  
 Rosslyn E. Gresens, Army, Sergeant.  
 Lincoln L. Grife, Army, Private First Class.  
 Walter H. Gruebbeling, Army, Sergeant First Class.  
 Elvin W. Haase, Army, Sergeant.  
 Kenneth N. Halsor, Army, Private First Class.  
 Gordon L. Hannah, Army, Sergeant First Class.  
 Beverly T. Haskell, Army, Sergeant First Class.  
 John W. Healy, Army, Lieutenant Junior Grade.  
 August H. Hinrichs, Jr., Air Force, Master Sergeant.  
 Delbert J. Holliday, Army, Private.  
 John H. Holman, Army, Sergeant First Class.  
 Johnh I. Hoven, Army, Corporal.  
 Arnold S. Howard, Air Force, First Lieutenant.  
 Paul J. Jacobson, Air Force, First Lieutenant.  
 Lawrence R. Jasmer, Army, Sergeant.  
 Morton H. Jensen, Air Force, Technical Sergeant.  
 Eugene F. Johnson, Navy, Lieutenant.  
 Gudmund C. Johnson, Jr., Army, Corporal.  
 Roy L. Johnson, Army, Corporal.  
 Richard J. Karnos, Army, Major.  
 Douglas B. Kern, Air Force, First Lieutenant.  
 Merten G. Klawitter, Army, Sergeant.  
 Edwin H. Knutson, Army, Sergeant.

George W. Kristanoff, Army, Captain.  
 Freddie A. Kvale, Army, Corporal.  
 Gerald R. Larson, Army, Private First Class.  
 Robert W. Liebeg, Army, Corporal.  
 Ronald D. Lilledahl, Marine Corps, Private First Class.  
 Carl H. Lindquist, Army, Master Sergeant.  
 Walter E. Lischheid, Marine Corps, Lieutenant Colonel.  
 Warren A. Lundberg, Marine Corps, Lance Corporal.  
 Allan E. Luoma, Army, Sergeant.  
 William R. Lyden, Air Force, First Lieutenant.  
 George Major, Marine Corps, Major.  
 Charles D. Makela, Army, Corporal.  
 Clarence A. Mattson, Army, Corporal.  
 Homer I. May, Army, Sergeant First Class.  
 Earl W. Melsness, Army, Corporal.  
 Robert Mickelson, Army, Private First Class.  
 Elwyn J. Miller, Marine Corps, Private First Class.  
 Roland A. Moore, Army, Master Sergeant.  
 Harold V. Motzko, Army, Corporal.  
 Gerald J. Mueller, Army, Sergeant.  
 Horace H. Myers Jr., Air Force, Major.  
 Lawrence A. Nelson, Air Force, First Lieutenant.  
 William F. Nelson, Army, First Lieutenant.  
 Howard C. Nielsen, Army, Private First Class.  
 Robert F. Niemann, Air Force, First Lieutenant.  
 Larrie D. O'Brien, Army, Private.  
 Kenneth L. Olson, Army, Corporal.  
 Maurice A. Olson, Air Force, Technical Sergeant.  
 Norman E. Olson, Army, Master Sergeant.  
 Robert H. Ostendorf, Army, Private First Class.  
 Chester Ostrowski, Army, Private First Class.  
 Eugene L. Ottensen, Army, Sergeant.  
 Paul P. Pensak, Army, Private First Class.  
 Donwin R. Peterson, Air Force, Private First Class.  
 Norman W. Peterson, Army, Airman Second Class.  
 Phillip O. Peterson, Air Force, Private First Class.  
 Ralph L. Phelps, Air Force, Staff Sergeant.  
 Alvin E. Potz, Army, Private First Class.  
 Daniel C. Randall, Army, Private.  
 Francis J. Reimer, Army, Sergeant.  
 Glen C. Richardson, Army, Sergeant.  
 Alfred D. Richner Jr., Army, Sergeant.  
 Floyd J. Robb Jr., Army, Corporal.  
 Ernest Robinson, Marine Corps, Sergeant.  
 Eugene H. Roering, Army, Private First Class.  
 Raymond C. Rogers, Army, Sergeant First Class.  
 Henry O. Ross, Army, Corporal.  
 Donald L. Rosevink, Army, Private First Class.  
 Floyd A. Roy, Army, Sergeant First Class.  
 Wayne C. Ruud, Army, Private First Class.  
 Donald A. Sangsland, Army, Sergeant.  
 Joseph A. Schaefer, Marine Corps, Sergeant.  
 Richard J. Seguin, Air Force, First Lieutenant.  
 David C. Sewell, Army, Sergeant.  
 Kenneth E. Slagle, Army, Private First Class.  
 Marvin E. Sleppy, Air Force, Master Sergeant.  
 Fred G. Smack, Army, Private First Class.  
 Raymond C. Solberg, Marine Corps, Private First Class.  
 Norris A. Solem, Air Force, Airman Second Class.  
 Bernard L. Splittstoesser, Army, Corporal.  
 John O. Strom, Army, Corporal.  
 James N. Sund, Army, Corporal.



Ernest C. Swanson, Air Force, Captain.  
Richard P. Swanson, Army, Private First Class.

Randall R. Sweet, Army, Corporal.  
Richard H. Todd, Marine Corps, Sergeant.  
James E. Torgeson, Air Force, Corporal.  
Donald R. Torstad, Army, First Lieutenant.

Lloyd O. Twidt, Army, Corporal.  
Fred L. Verant, Marine Corps, Corporal.  
Merco Joe Verrant, Army, Captain.  
Arthur R. Vossen, Army, Corporal.  
Marvin L. Whitehead, Air Force, Corporal.  
Stanton G. Wilcox, Marine Corps, First Lieutenant.

Jerome F. Williams, Army, Private.  
Albert V. Wiswell, Army, Private.  
Jack R. Ziemer, Army, Private First Class.  
Harry R. Zupke, Army, Sergeant.  
Vernie A. Zurn, Army, Sergeant

#### CHINA'S ACCESSION TO THE WORLD TRADE ORGANIZATION—ONGOING MULTILATERAL NEGOTIATIONS

Mr. BAUCUS. Mr. President, I am very pleased that we are approaching the end of our debate on PNTR. This legislation will authorize the President to grant permanent Normal Trade Relations status to China after he certifies to Congress that the terms of China's accession to the WTO are at least equivalent to those agreed in the U.S.-PRC bilateral agreement reached last November.

Before the President can make that certification, the ongoing multilateral negotiations in Geneva must be completed, specifically, the Protocol of Accession and the Working Party Report to the WTO General Council.

China is a nation where a free market and the rule of law are in the earliest stage of development. Accession to the WTO, and our granting PNTR, are just the first steps in that process.

China's integration into the global trade community will not be completed overnight. It will take a lot of work by economic reformers in China. And it will take a lot of work by leaders in the United States and in other WTO members to ensure that China stays on course.

Over the coming years, we will have to put a lot of effort into scrutinizing closely and constantly China's compliance with its commitments. That is why earlier this year I introduced the China WTO Compliance Act. I was glad that some of the provisions in my proposal were adopted by the House. Other issues raised in my bill will be dealt with in a three-year investigation that we on the Finance Committee have requested that the General Accounting Office carry out. And that is why I support the President's request for a significant increase in the resources of the Executive Branch to monitor compliance with trade agreements.

Today, I would like to mention several issues in the ongoing negotiations in Geneva. In addition to informing my colleagues about these issues, I am also using this opportunity to remind our American negotiators and the Chinese leadership about the importance of resolving these issues properly.

Section 401 of the bill states that it is the objective of the United States to obtain, in China's protocol of accession, an annual review within the WTO of China's compliance with its terms of accession. China is a nation where a free market and the rule of law are in the earliest stage of development. The success of the WTO, by contrast, is premised on its members having relatively free markets operating against a backdrop of the rule-of-law. For China's transition to membership in the world trading community to be smooth, China will have to undertake major reforms in many areas, from intellectual property law, to customs procedure, to judicial process.

Some of this is underway. It poses a uniquely massive challenge to China and to the world trading community. Some of the issues that come up may be handled through dispute settlement. But the WTO's dispute settlement mechanism has limited resources, and a flood of China cases could overwhelm the system. Rather than deal with all of China's transition issues one dispute at a time, it is vital to deal with groups of issues as a bloc, through regular annual reviews.

China has objected to having its implementation of trade obligations reviewed every other year, which is the current demand on the table in the protocol negotiations. They want to be treated as a developing country, which means a review every four years. China has also proposed that the focus of such reviews be shifted away from China and instead look at "abuse by any Member of any specific provisions imposed especially on China in this Protocol."

This is absolutely unacceptable. The issue is China's implementation. If China believes that other members are abusing China-specific measures in the protocol of accession, it should challenge those practices in the dispute settlement mechanism. We cannot allow attention to be deflected from China's record.

In June, Canada offered an intriguing proposal, whereby each "subsidiary body" of the WTO, that is, the councils and committees that have responsibility for particular subject matters, would meet in special session at least once a year to review China's implementation of its trade obligations. We should support the Canadian proposal, which is a common-sense approach.

China has insisted for years that it should enjoy the rights and special treatment accorded to developing country members. We must continue to reject China's position on this point. China is unique. It is not simply another developing country, and it should not automatically be allowed to avail itself of developing country provisions in the WTO. China's size, the extent of state ownership, and the transitional nature of its economy and legal institutions, all should be taken into account in deciding the developing versus developed issue in particular instances. It must be on a case-by-case basis.

For example, if China automatically received developing country status for all purposes, it would receive special treatment under the subsidies agreement. Then, export subsidies and subsidies in the form of operating loss coverage would not be treated as prohibited subsidies. The burden of challenging those subsidies in the WTO would be much greater than under ordinary rules. This would be particularly troublesome, given the level of state ownership in China.

This bill contains a safeguard provision (sec. 103) that lets U.S. industries, workers, and farmers obtain relief from surges of imports from China. The provision reflects the terms of the November, 1999, U.S.-China bilateral agreement. Among its provisions is a rule that will govern the granting of relief when there is "trade diversion"—that is, when another country provides safeguard relief from surges of Chinese goods, and the goods are then diverted to the United States.

China has proposed that "trade diversion" would only be considered to exist when there is clear evidence that imports are increasing "significantly and absolutely," and are "a significant cause of material injury" to the domestic industry in the country to which the goods have been diverted.

We must reject this proposal. It is counter to our bilateral agreement in November which included none of these limitations on our taking action.

The safeguard provision, including insulation against trade diversion, is a very important feature of this bill. It ensures that if shifts in trade patterns following China's entry into the world trading system cause or threaten dislocations to American workers, businesses, and farmers, they will be able to obtain relief quickly. We must reject any efforts by China to weaken those commitments.

Under our bilateral agreement, China agreed to protect all rights acquired by American insurance companies prior to China joining the WTO. Specifically, China committed to permit existing insurance branch operations to sub-branch in the future on a wholly owned basis. I understand USTR continues to work with China to correct this situation, both bilaterally and multilaterally in Geneva. I have written to Ambassador Li to make certain he understands the importance I attach to this matter. It is essential that China rectify this situation.

#### ESTATE TAX LEGISLATION

Mr. ALLARD. Mr. President, recently, President Clinton vetoed legislation that would have repealed the estate tax, legislation that I strongly supported. I fundamentally oppose the estate tax. I call it the "death tax." This has been a concern of mine for some time now. In fact, I have previously introduced legislation that would do away with this unfair tax.

Congress has clearly demonstrated its support for easing this burden. The

Taxpayer Relief Act of 1997 gradually increases the exemption. Last year, Congress decided that further action was needed and passed a bill that would have eliminated the federal estate tax. Unfortunately, the President chose to veto that bill.

The United States has one of the highest estate taxes in the world. While income tax rates have declined in recent decades, estate taxes have remained high. Today, the death tax is imposed on estates with assets of more than \$675,000. The rates begin at 37% and very rapidly rise to 55%. Some estates even pay a marginal rate of 60%!

This issue really hits home for me. Family farms and small businesses are two of the groups most affected by the estate tax. I grew up on my family's farm in Colorado, and I owned a small business before I came to Washington. So, I truly understand the concerns of those who live in fear of the impact that this tax will have on their legacy to their children.

The estate tax has resulted in the loss of family farms and family businesses across the nation. Many people work their entire lives to build a business that they can pass on to their children. When these hard-working businessmen and farmers pass away, their families are often forced to sell off the business to pay the estate tax. I see this as an affront to those who try to pass on the fruits of their lives' work to their children.

The people affected by this tax are not necessarily wealthy. Many small businesspeople are cash poor, but asset rich. For example, the owner of a small restaurant might have \$800,000 of assets, but not much cash on hand. Her children will still have to pay an excessive tax on the assets. The beer wholesaler, who has invested all of his revenue in trucks and storage, might have more than \$675,000 in assets. That does not make him a cash-wealthy man. Yet, he is still subject to this so-called "tax on the wealthy."

The death tax also impacts employment and the economy. When a family-owned farm or a small business closes, the workers lose their jobs. Conversely, leaving resources in the economy can create jobs. A recent George Mason study found that if the estate tax were phased out over five years, the economy would create 198,895 more jobs, and grow by an additional \$509 billion over a ten-year period.

Additionally, the estate tax is a disincentive for Americans to save their earnings. The government has created a number of tax breaks and other incentives for those who save their money: 401(k)s and IRA's—to name a few. Yet, the estate tax sends a contradictory message. Basically, it says, "If you don't spend all your savings by the time you die, the government will penalize you." This tax is no small penalty, either. We are talking about some very high tax rates.

The death tax also represents an unjust double taxation. The savings were

taxed initially when they were earned. Then, when the saver passes away, the government comes along and takes a second cut. There is no good reason for the current system—other than the government's desire to make a profit at the already trying time of the death of a dear one.

The current death tax law has a greater effect on the lower end of the scale than the higher. Wealthy people can afford lawyers and planners to help them plan their estate. Those at the lower end of the estate tax scale are often unable to afford sophisticated estate planning. So the current law also makes the tax somewhat regressive, which is not fair.

Planning and compliance with the estate tax can consume substantial resources. In 1995, the Gallup organization surveyed family firms. Twenty-three percent of owners of companies valued over \$10 million said that they pay more than \$50,000 per year in insurance premiums on policies to help them pay the eventual bill. To plan for the estate tax, the firms also spent an average of \$33,000 on lawyers, accountants and financial planners, over a period of several years. This is money that could have been better spent to expand the business and create new jobs—rather than dealing with the death tax.

The estate tax only raises one percent of federal revenue, yet it costs farms, businesses and jobs. No American family should lose their farm or business because of the federal government. I support full repeal of the federal estate tax.

#### VICTIMS OF GUN VIOLENCE

Mr. DORGAN. Mr. President, it has been more than a year since the Columbine tragedy, but still this Republican Congress refuses to act on sensible gun legislation.

Since Columbine, thousands of Americans have been killed by gunfire. Until we act, Democrats in the Senate will read the names of some of those who have lost their lives to gun violence in the past year, and we will continue to do so every day that the Senate is in session.

In the name of those who died, we will continue this fight. Following are the names of some of the people who were killed by gunfire one year ago today.

September 15, 1999:

Larry Gene Ashbrook, 47, Fort Worth, TX; Kristi Beckel, 14, Fort Worth, TX; Mackersher Beckford, 22, Miami, FL; Shawn C. Brown, 23, Fort Worth, TX; Sydney R. Browning, 36, Fort Worth, TX; Keith Brunson, 28, Miami, FL; Gary Burgin, 51, Cincinnati, OH; Ralph Burgin, 58, Cincinnati, OH; Jorge DelRio, 36, Miami, FL; Joseph D. Ennis, 14, Fort Worth, TX; Cassandra Griffin, 14, Fort Worth, TX; Leardis Lane, 59, Chicago, IL; Omar Martinez, 32, Miami, FL; Jerry Lee Miller, 63, Salt Lake City, UT; Ali

Panjwani, 32, San Antonio, TX; Lamar Price, 34, Detroit, MI; Justin M. Ray, 17, Fort Worth, TX; Calvin D. Sangrey, 45, Seattle, WA; Lawrence Venson, 21, Washington, DC; Unidentified Male, 45, Sacramento, CA.

Today is the one-year anniversary of a horrific shooting in Fort Worth, Texas. On this day one year ago, a gunman burst into the Southwestern Baptist Theological Seminary during a youth rally. Seven of the people whose names I just read were shot and killed and seven were wounded by a man they did not know. The gunman stormed into the church, cursed their religion, and shot multiple rounds of gunfire before he turned the gun on himself.

We cannot sit back and allow such senseless gun violence to continue. The deaths of these people are a reminder to all of us that we need to enact sensible gun legislation now.

#### ADDITIONAL STATEMENTS

##### THE VERY BAD DEBT BOXSCORE

• Mr. HELMS. Mr. President, at the close of business yesterday, Thursday, September 14, 2000, the Federal debt stood at \$5,675,575,620,669.30, five trillion, six hundred seventy-five billion, five hundred seventy-five million, six hundred twenty thousand, six hundred sixty-nine dollars and thirty cents.

One year ago, September 14, 1999, the Federal debt stood at \$5,657,546,000,000, five trillion, six hundred fifty-seven billion, five hundred forty-six million.

Five years ago, September 14, 1995, the Federal debt stood at \$4,968,803,000,000, four trillion, nine hundred sixty-eight billion, eight hundred three million.

Ten years ago, September 14, 1990, the Federal debt stood at \$3,233,193,000,000, three trillion, two hundred thirty-three billion, one hundred ninety-three million, which reflects an increase of almost \$2.5 trillion—\$2,442,382,620,669.30, two trillion, four hundred forty-two billion, three hundred eighty-two million, six hundred twenty thousand, six hundred sixty-nine dollars and thirty cents, during the past 10 years.●

#### RECOGNITION OF GENERAL ROBERT S. FRIX

• Mr. GORTON. Mr. President, I rise to recognize General Robert S. Frix, an outstanding individual from my State, who is the recipient of the Boy Scouts of America Distinguished Eagle Scout Award.

This award is bestowed upon a select group of Eagle Scouts who are chosen by a national review board as distinguished individuals who, by sharing their talents and time with others, have improved their communities. General Frix clearly deserves this rare honor for his service to our country, his profession and community.

Our country owes a great debt of gratitude to General Frix for his decorated military service and accomplishments. A West Point graduate, he served our country for 34 years, earning the rank of Major General and numerous decorations including two Distinguished Service Medals, 26 Air Medals, and two Meritorious Service Medals.

Through two tours each in Vietnam and Germany, he distinguished himself as a leader, but his duty in the Middle East is most notable. As Chief of Staff and Deputy Commanding General of U.S. Army Forces Central Command during Desert Shield and Desert Storm, he was instrumental in rescuing Kuwait from Saddam Hussein's siege. Commanding the Joint Task Force Kuwait, he led the enforcement of U.N. Resolution 688.

Following his military service, General Frix turned to a different kind of battle, that of decommissioning, cleaning-up, and restoring U.S. Department of Energy former nuclear weapons fabrication and materials production sites. Formerly at the Rocky Flats, Colorado site and currently at the Hanford site in my state of Washington, he manages personnel and multimillion dollar budgets in order to accomplish the clean-up and disposal of highly radioactive, toxic and hazardous materials. At the helm of the DynCorp company, he and his employees have achieved an outstanding environmental safety record.

All the while, General Frix uses his talents for the benefit of others and remains committed to serving his community as the national president of the Army Aviation Association of America Scholarship Foundation and as a lifetime member of the Disabled American Veterans. In addition, he has used his military management skills to retire council debts and raise almost \$10 million in endowment as a member of the Blue Mountain Council Executive Board and Senior Vice President of Finance.

General Frix willingness to help his community extends into his professional career in which he and his colleagues at DynCorp have worked side by side to construct park facilities and renovate a local cancer treatment facility. He is highly regarded by business associates as a community leader who sets an example for others to follow.●

#### REIT ANNIVERSARY

● Mr. GORTON. Mr. President, the real estate investment trust, or REIT, turned 40 years old yesterday. It has been a remarkable four decades for this investment vehicle. The goal of Congress in creating REITs back in 1960 was to give the small investor an opportunity to invest in portfolios of large-scale, commercial properties. Today, anyone and everyone can buy shares of real estate operating companies that focus on particular sectors or regions of the country.

In January, the REIT Modernization Act will take effect. Adopted by Congress last year, this law will permit REITs to remain competitive in the real estate marketplace by creating subsidiaries to offer the same range of tenant services provided by its competitors. And, as the REIT marks its 40th anniversary, so too does its association, NAREIT, the National Association of Real Estate Investment Trusts. NAREIT's annual convention will be held here in Washington, DC next month, and we wish them well on another successful event.●

#### ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, September 15, 2000, he presented to the President of the United States the following enrolled bill:

S. 1374. An act to authorize the development and maintenance of a multi-agency campus project in the town of Jackson, Wyoming.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. INHOFE:

S. 3056. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income certain profits of businesses operated in connection with a public-private partnership with Centers of Industrial and Technical Excellence established by the Department of Defense; to the Committee on Finance.

By Mr. KENNEDY (for himself and Mr. DASCHLE):

S. 3057. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to protect consumers in managed care plans and other health coverage; read the first time.

By Mr. KENNEDY (for himself and Mr. DASCHLE):

S. 3058. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to protect consumers in managed care plans and other health coverage; read the first time.

By Mr. MCCAIN (for himself, Mr. GORTON, and Mr. SPECTER):

S. 3059. A bill to amend title 49, United States Code, to require motor vehicle manufacturers and motor vehicle equipment manufacturers to obtain information and maintain records about potential safety defects in their foreign products that may affect the safety of vehicles and equipment in the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WELLSTONE:

S. 3060. A bill to amend the Hmong Veterans' Naturalization Act of 2000 to extend the applicability of that Act to certain former spouses of deceased Hmong veterans; to the Committee on the Judiciary.

By Mr. ASHCROFT:

S. 3061. A bill to require the President to negotiate an international agreement governing the recall by manufacturers of motor vehicles and motor vehicle equipment with safety-related defects; to the Committee on Foreign Relations.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

Mr. MCCAIN (for himself, Mr. GORTON, and Mr. SPECTER):

S. 3059. A bill to amend title 49, United States Code, to require motor vehicle manufacturers and motor vehicle equipment manufacturers to obtain information and maintain records about potential safety defects in their foreign products that may affect the safety of vehicles and equipment in the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

MOTOR VEHICLE AND MOTOR VEHICLE EQUIPMENT DEFECT NOTIFICATION IMPROVEMENT ACT

Mr. MCCAIN. Mr. President, I rise along with several of my colleagues to introduce legislation to reform the process used by the National Highway Traffic Safety Administration to investigate and order recalls for safety related defects in motor vehicles. We introduce this legislation today partly in response to the recall of 14.4 million Firestone tires and the 88 deaths and more than 250 injuries associated with those tires.

Over the past two weeks in a series of House and Senate hearings, we have begun to learn the details of how the National Highway Traffic Safety Administration, Ford Motor Company and Bridgestone/Firestone failed to detect and effectively respond to defective tires that were killing or causing serious harm to consumers. Based upon the still mounting evidence, it is increasingly difficult to believe that neither the companies nor NHTSA knew anything of this problem until after this summer. Annual claims reports from Firestone show an increase in claims associated with the tires subject to the recall beginning in 1996 through 1999. Ford also received numerous complaints about Firestone tires on Explorers in overseas markets. These complaints were significant enough to cause Ford to replace tires in 16 foreign countries. NHTSA was notified on at least two occasions by State Farm Insurance Company that there may be a problem with Firestone tires on Ford Explorers. Taken individually each of these incidents may not be cause for alarm. But taken collectively it is difficult to believe that no one realized this was a problem until a month ago.

I cite these facts not as evidence of guilt but as an example of the problems with the current system. NHTSA has neither the resources, the statutory authority nor the internal processes to detect and remedy safety related defects in timely fashion. The current system must be changed. When manufacturers fail to tell the truth or purposely neglect to report safety data, and people lose their lives, severe penalties must result.

It is my hope that in the remaining days of this Congress we can move from recrimination to reform. Our attention to ensuring the safety of the driving public must not be fleeting. It

unfortunately has taken the cumulative tragedy of more than 80 lives to bring our collective attention to the long overdue task of reforming the way we investigate and remedy vehicle defects.

The proposal we introduce today attempts to make some basic reforms to ensure that the current situation does not repeat itself. It would authorize the Secretary of Transportation to require manufacturers of motor vehicles and motor vehicle equipment to report more information such as claims data, warrant data, and lawsuits. The bill establishes criminal penalties for manufacturers that knowingly sell vehicle with a safety-related defect that causes death or serious injury. The measure will also increase the current cap on civil penalties to from \$900,000 to \$15 million. It provides the Secretary with authority to seek even greater penalties in the conduct is willful and intentional.

I know that some of my colleagues believe this legislation does not go far enough and would like to address other motor vehicles safety issues or require the reporting of other data. While I share their concerns about those important issues, I caution that we must not make the perfect the enemy of the good. I want to state openly that this proposal is no panacea to the problem, and I am perfectly open to making sensible and prudent adjustments. Next week, it is my intention to report this bill from the Senate Commerce Committee. I look forward to working with my colleagues to address their concerns as we move through the process.

Mr. President, we have an opportunity before we adjourn to enact some basic reforms to empower the Department of Transportation to respond effectively to safety related defects in the future. I hope we will not waste this time and enact these reforms.

Mr. WELLSTONE:

S. 3060. A bill to amend the Hmong Veterans Naturalization Act of 2000 to extend the applicability of that act to certain former spouses of deceased Hmong veterans; to the Committee on the Judiciary.

TECHNICAL AMENDMENTS TO THE HMONG  
VETERANS NATURALIZATION ACT

Mr. WELLSTONE. Mr. President, I am pleased to introduce a technical amendment today that, if passed, would ensure that widows and widowers of Hmong veterans who died in Laos, Thailand, and Vietnam are also covered by the Hmong Veterans Naturalization Act. This critical change would allow such widows to take the United States citizenship test with a translator.

Hmong soldiers died at 10 times the rate of American soldiers in the Vietnam war. As many as 20,000 Hmong were killed serving our country. They left behind families with no means of support. They left their loved ones to fend for themselves in a hostile country.

Twenty-five years later, we cannot give widows back their loved ones, though their loved ones gave their lives for us. All we can do is honor their service in a way that is long-overdue and give them the tools to become citizens in the nation for which they heroically fought, and died.

I want to thank so many of my colleagues who worked so hard to see that the Hmong Veterans Naturalization Act pass through Congress and become law. Hmong widows should have been included when this legislation was first passed and they were not. This amendment simply corrects something that should have been done long ago. I urge its swift passage.

Mr. ASHCROFT:

S. 3061. A bill to require the President to negotiate an international agreement governing the recall by manufacturers of motor vehicles and motor vehicle equipment with safety-related defects; to the Committee on Foreign Relations.

INTERNATIONAL CONSUMER SAFETY  
INFORMATION ACT

Mr. ASHCROFT. Mr. President, I rise today to introduce the International Consumer Safety Information Act. As we are all aware, there has been a tragic loss of life associated with defects in Firestone tires.

The loss of 88 lives in the United States alone from defects in Firestone tires is extremely tragic. The death toll in other countries from this U.S. product is reportedly more than 50. Each of these people had dreams that will not be realized. There is nothing we can do that will ever compensate for the loss of one life.

However, we have a responsibility to the American people and to consumers worldwide to do everything we can to create accountability and to ensure that innocent people are not put at such a high risk in the future. By quickly alerting consumers about motor vehicle or motor vehicle equipment recalls around the globe, we will equip people with potentially life-saving information.

American consumers should be provided with immediate, life-saving information on motor vehicle or motor vehicle equipment recalls, regardless of whether the recall originated in the United States or another country. As the chairman of the Consumer Affairs and Foreign Commerce Subcommittee, I intend to do what I can on this issue. My consumer protection plan would provide consumers—via the Internet—with more immediate information about recalls of motor vehicles or motor vehicle equipment.

U.S. drivers are just not finding out about the Firestone tire defects, but there were tire failures in Venezuela as far back as 1998, and in Saudi Arabia, 1999. It is simply unacceptable that American officials abroad did not inform the American public. My proposal would ensure that this does not happen again.

Under the legislation I am introducing today, the President would negotiate an international agreement requiring foreign countries and the United States to maintain an Internet site to inform consumers worldwide of recalls of motor vehicle or motor vehicle equipment. My bill includes the following key provisions:

The international agreement would have countries include on an Internet site the names of companies that have issued recalls, the companies' contact information, the specific products that are being recalled, the countries in which the recalls are effective, and the date of the recall.

In addition, the international agreement would set up guidelines for a company that initiate a recall of motor vehicle or motor vehicle equipment to ensure that they disclose all relevant information to consumers and federal authorities in all countries it sells its products.

Finally, the bill would make the Administration accountable for disclosing information on foreign recalls by ensuring that Congress is notified and by posting the information on an Internet site for the public.

It is my hope that the Senate Commerce Committee will act quickly on this measure. At a Commerce Committee hearing this last Tuesday, I pointed out another harm that can come from a lack of adequate information about recalls.

Almost half of all Ford Explorers, which was a model that used defective Firestone tires, that are assembled in the U.S. are made at a plant in Hazelwood, Missouri. I want to visit the workers employed at this plant. The plant has been closed the past two weeks and will not reopen to assemble the popular Ford Explorer until next Monday. Most of the 2,000 workers are not reporting to work and are unsure about their future. Their overtime is nonexistence, and due to the 15,000 Explorers that will not be produced, their profit-sharing is threatened. However, they did not complain about Ford's decision to close the plant in order to get tires out to consumers as quickly as possible. In fact, they were proud that the company was willing to take such a drastic measure to serve their customers. Most importantly, they want us all to realize that what we do and what we say up here makes a difference. It makes a difference in their lives, and it affects consumer confidence in the produce these workers sweat and toil to produce.

My efforts today are intended to shine light on recalls worldwide. Consumers should know if there are recalls in other countries, and the Federal government should facilitate this transparency. The bill I am introducing today will hopefully ensure that consumers in the U.S.—and consumers worldwide—obtain updated information about recalls around the globe.

## ADDITIONAL COSPONSORS

S. 136

At the request of Mr. KENNEDY, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 136, a bill to provide for teacher excellence and classroom help.

S. 522

At the request of Mr. LAUTENBERG, the name of the Senator from New Hampshire (Mr. SMITH) was added as a cosponsor of S. 522, a bill to amend the Federal Water Pollution Control Act to improve the quality of beaches and coastal recreation water, and for other purposes.

S. 1020

At the request of Mr. GRASSLEY, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 1020, a bill to amend chapter 1 of title 9, United States Code, to provide for greater fairness in the arbitration process relating to motor vehicle franchise contracts.

S. 1391

At the request of Mr. INOUE, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1391, a bill to amend title 38, United States Code, to improve benefits for Filipino veterans of World War II, and for other purposes.

S. 1726

At the request of Mr. MCCAIN, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1726, a bill to amend the Internal Revenue Code of 1986 to treat for unemployment compensation purposes Indian tribal governments the same as State or local units of government or as nonprofit organizations.

S. 1851

At the request of Mr. CAMPBELL, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1851, a bill to amend the Elementary and Secondary Education Act of 1965 to ensure that seniors are given an opportunity to serve as mentors, tutors, and volunteers for certain programs.

S. 1900

At the request of Mr. LAUTENBERG, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 1900, a bill to amend the Internal Revenue Code of 1986 to allow a credit to holders of qualified bonds issued by Amtrak, and for other purposes.

S. 2698

At the request of Mr. MOYNIHAN, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of S. 2698, a bill to amend the Internal Revenue Code of 1986 to provide an incentive to ensure that all Americans gain timely and equitable access to the Internet over current and future generations of broadband capability.

S. 2731

At the request of Mr. FRIST, the name of the Senator from Massachusetts (Mr. KERRY) was added as a co-

sponsor of S. 2731, a bill to amend title III of the Public Health Service Act to enhance the Nation's capacity to address public health threats and emergencies.

S. 2858

At the request of Mr. GRAMS, the name of the Senator from Louisiana (Mr. BREAU) was added as a cosponsor of S. 2858, a bill to amend title XVIII of the Social Security Act to ensure adequate payment rates for ambulance services, to apply a prudent layperson standard to the determination of medical necessity for emergency ambulance services, and to recognize the additional costs of providing ambulance services in rural areas.

S. RES. 342

At the request of Mr. ROBB, his name was added as a cosponsor of S. Res. 342, a resolution designating the week beginning September 17, 2000, as "National Historically Black Colleges and Universities Week."

S. RES. 355

At the request of Mr. JEFFORDS, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. Res. 355, a resolution commending and congratulating Middlebury College.

## NOTICE OF HEARING

SUBCOMMITTEE ON FORESTRY, CONSERVATION,  
AND RURAL REVITALIZATION

Mr. LUGAR. Mr. President, I would like to announce that the Committee on Agriculture, Nutrition, and Forestry Subcommittee on Forestry, Conservation, and Rural Revitalization will meet on September 18, 2000 at 10 a.m. in Norristown, PA. The purpose of this hearing will be to examine the Farmland Protection Program (FPP).

AUTHORITY FOR COMMITTEES TO  
MEET

## SUBCOMMITTEE ON FORESTS AND PUBLIC LANDS

Mr. CRAIG. Mr. President, I ask unanimous consent that the Subcommittee on Forests and Public Lands of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Friday, September 15, at 10 a.m. to conduct an oversight hearing. The subcommittee will receive testimony on Federal agency preparedness for the summer 2000 wildfires.

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

## THE CALENDAR

CHILDREN'S INTERNET SAFETY  
MONTHNATIONAL HISTORICALLY BLACK  
COLLEGES AND UNIVERSITIES  
WEEKNATIONAL OVARIAN CANCER  
AWARENESS WEEK

## NATIONAL MAMMOGRAPHY DAY

COMMENDING AND CONGRATU-  
LATING MIDDLEBURY COLLEGE

Mr. CRAIG. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from consideration of the following resolutions; further, the Senate proceed to their consideration en bloc: S. Res. 294, S. Res. 342, S. Res. 347, S. Res. 353, and S. Res. 355.

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

The Senate proceeded to consider the resolutions.

Mr. CRAIG. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid upon the table, with the above occurring en bloc.

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

The resolutions (S. Res. 294, S. Res. 342, S. Res. 347, S. Res. 353, and S. Res. 355) were considered and agreed to.

The preambles were agreed to.

The resolutions, with their preambles, are as follows:

## S. RES. 294

Whereas the Internet is one of the most effective tools available for purposes of education and research and gives children the means to make friends and freely communicate with peers and family anywhere in the world;

Whereas the new era of instant communication holds great promise for achieving better understanding of the world and providing the opportunity for creative inquiry;

Whereas it is vital to the well-being of children that the Internet offer an open and responsible environment to explore;

Whereas access to objectionable material, such as violent, obscene, or sexually explicit adult material may be received by a minor in unsolicited form;

Whereas there is a growing concern in all levels of society to protect children from objectionable material;

Whereas the technological option for parents or guardians to filter, block, or review objectionable Internet material is available and effective;

Whereas information on Internet filtering or blocking technology is unavailable to many parents or guardians; and

Whereas the Internet is a positive educational tool and should be seen in such a manner rather than as a vehicle for entities to make objectionable materials available to children: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates October 2000 as "Children's Internet Safety Month" and supports its official status on the Nation's promotional calendar; and

(2) supports parents and guardians in promoting the creative development of children by encouraging the use of the Internet in a safe, positive manner with the aid of Internet filtering and blocking technologies.

#### S. RES. 342

Whereas there are 105 historically black colleges and universities in the United States;

Whereas black colleges and universities provide the quality education so essential to full participation in a complex, highly technological society;

Whereas black colleges and universities have a rich heritage and have played a prominent role in American history;

Whereas black colleges and universities have allowed many underprivileged students to attain their full potential through higher education; and

Whereas the achievements and goals of historically black colleges and universities are deserving of national recognition: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the week beginning September 17, 2000, as "National Historically Black Colleges and Universities Week"; and

(2) requests that the President issue a proclamation calling on the people of the United States and interested groups to observe the week with appropriate ceremonies, activities, and programs to demonstrate support for historically black colleges and universities.

#### S. RES. 347

Whereas 1 out of every 55 women will develop ovarian cancer at some point during her life;

Whereas over 70 percent of women with ovarian cancer will not be diagnosed until ovarian cancer has spread beyond the ovary;

Whereas prompt diagnosis of ovarian cancer is crucial to effective treatment, with the chances of curing the disease before it has spread beyond the ovaries ranging from 85 to 90 percent, as compared to between 20 and 25 percent after the cancer has spread;

Whereas several easily identifiable factors, particularly a family history of ovarian cancer, can help determine how susceptible a woman is to developing the disease;

Whereas effective early testing is available to women who have a high risk of developing ovarian cancer;

Whereas heightened public awareness can make treatment of ovarian cancer more effective for women who are at-risk; and

Whereas the Senate, as an institution, and members of Congress, as individuals, are in unique positions to help raise awareness about the need for early diagnosis and treatment for ovarian cancer: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the week of September 17, 2000, through September 23, 2000, as National Ovarian Cancer Awareness Week; and

(2) requests that the President issue a proclamation calling upon the people of the United States to observe National Ovarian Cancer Awareness Week with appropriate recognition and activities.

#### S. RES. 353

Whereas according to the American Cancer Society, in 2000, 182,800 women will be diagnosed with breast cancer and 40,800 women will die from this disease;

Whereas in the decade of the 1990's, it is estimated that about 2,000,000 women were di-

agnosed with breast cancer, resulting in nearly 500,000 deaths;

Whereas the risk of breast cancer increases with age, with a woman at age 70 years having twice as much of a chance of developing the disease as a woman at age 50 years;

Whereas at least 80 percent of the women who get breast cancer have no family history of the disease;

Whereas mammograms, when operated professionally at a certified facility, can provide safe screening and early detection of breast cancer in many women;

Whereas experts agree that mammography is the best method of early detection of breast cancer, and early detection is the key to saving lives;

Whereas mammograms can reveal the presence of small cancers up to 2 years or more before a regular clinical breast examination or breast self-examination, reducing mortality by more than 30 percent; and

Whereas the 5-year survival rate for localized breast cancer is over 96 percent: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates October 20, 2000, as "National Mammography Day"; and

(2) requests that the President issue a proclamation calling upon the people of the United States to observe such day with appropriate programs and activities.

#### S. RES. 355

Whereas in the fall of 1800, a group of distinguished Vermonters, including Jeremiah Atwater, Nathaniel Chipman, Herman Ball, Elijah Paine, Gamaliel Painter, Israel Smith, Stephen R. Bradley, Seth Storrs, Stephen Jacob, Daniel Chipman, Lot Hall, Aaron Leeland, Gershom C. Lyman, Samuel Miller, Jedediah P. Buckingham, and Darius Matthews, petitioned the Vermont General Assembly for the establishment of a new institution of higher education in the town of Middlebury, Vermont;

Whereas on November 1, 1800, the Vermont General Assembly adopted a law to establish a college in Middlebury and named this group of distinguished Vermonters to be known as "the President and fellows of Middlebury college", and designated Jeremiah Atwater as the new college's first President;

Whereas on November 5, 1800, less than 1 week after receiving its Charter, Middlebury College opened its doors to 7 students and 1 professor using space at the local grammar school for instruction;

Whereas by 1810, the college had grown to 110 students and needed space of its own, and the campus of Middlebury College was built, and on May 19, 2000, the United States Postal Service issued postcards to commemorate the Old Stone Row and the first 3 buildings of the Middlebury College campus;

Whereas over the last 2 centuries, Middlebury College has evolved from 1 of the first colleges in the United States into 1 of the most respected liberal arts colleges in the Nation, with more than 2,000 students, almost 200 professors, and a main campus of over 250 acres;

Whereas the Middlebury College Bicentennial Planning Commission has designed Celebration 2000 to commemorate this milestone in Vermont's and the Nation's educational history;

Whereas this bicentennial is a celebration honoring the people and events that have made and continue to make Middlebury College a leader in higher education;

Whereas Celebration 2000 features concerts, plays, and symposia, both on campus and at additional locations such as the New York Public Library, and the dedication of a new science building, Bicentennial Hall, with an

exterior that resembles the Old Stone Row and the early architectural history of this 200-year-old school; and

Whereas the year-long celebration of 2 centuries of quality higher education will culminate during Founders' Week, November 1st through 5th, 2000, when a variety of events will occur in honor of Middlebury, the college, and Middlebury, the college's town: Now, therefore, be it

*Resolved*, That—

(1) the Senate commends and congratulates Middlebury College on the completion of its first 200 years of educational excellence and wishes the college continued success as it commences a third century of educational opportunity and leadership; and

(2) the Secretary of the Senate shall send a copy of this resolution to the Middlebury College President, John M. McCardell, Jr.

#### HONORING THE BICENTENNIAL OF MIDDLEBURY COLLEGE

Mr. LEAHY. Mr. President. I want to express my thanks and appreciation to my colleagues in the Senate for their support of Senate Resolution 355 congratulating Middlebury College on the successful completion of their first 200 years of higher education. I also want to thank my friend Senator HATCH and my colleagues on the Judiciary Committee for discharging this resolution in such a timely manner.

Later this fall, Middlebury College will enjoy the honor of celebrating its bicentennial. Middlebury College is one of the most respected liberal arts colleges in the nation and it was one of the first institutions of higher education in Vermont. In November 1800, the school first opened its doors for business to seven students and one professor in space at the local grammar school. Today, the school has more than two thousand students, almost two hundred professors, and a main campus of over 250 acres.

In recognition of 200 years of educating students from across this country and the world, the Middlebury College Bicentennial Planning Commission has designed Celebration 2000 to commemorate this milestone in Vermont's and the nation's educational history. The year-long bicentennial celebration honors the people and events that have made and continue to make Middlebury College a leader in higher education. Celebration 2000 features concerts, plays, and symposia, both on campus and at additional locations such as the New York Public Library, and the dedication of a new science building, Bicentennial Hall, with an exterior that resembles the Old Stone Row and the school's early architectural history. This year-long celebration will culminate later this fall during Founders' Week, a series of events on campus during the first week of November.

I am pleased this body has moved so quickly to commend and congratulate Middlebury College on the completion of its first two hundred years of educational excellence. I thank my colleagues for joining Senator JEFFORDS, the other cosponsors of this resolution and me in honoring the contributions of the school, its students and its alumni.

# NATIONAL ALCOHOL AND DRUG RECOVERY MONTH

Mr. CRAIG. Mr. President, I ask unanimous consent that the HELP Committee be discharged from further consideration of H. Con. Res. 371 and that the Senate then proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 371) supporting the goals and ideas of National Alcohol and Drug Recovery Month.

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

Mr. CRAIG. I ask unanimous consent that the concurrent resolution and preamble be agreed to en bloc, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD in the appropriate place.

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

The concurrent resolution (H. Con. Res. 371) was agreed to.

The preamble was agreed to.

# 10TH ANNIVERSARY REESTABLISHMENT OF REPUBLIC OF LATVIA

Mr. CRAIG. I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 319.

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

The legislative clerk read as follows:

The concurrent resolution (H. Con. Res. 319) congratulating the Republic of Latvia on the 10th anniversary of the reestablishment of its independence from the rule of the former Soviet Union.

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

Mr. CRAIG. I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements relating thereto be printed in the RECORD in the appropriate place.

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

The concurrent resolution (H. Con. Res. 319) was agreed to.

The preamble was agreed to.

# RECOGNITION FOR SLAVE LABORERS WHO WORKED ON CONSTRUCTION OF THE UNITED STATES CAPITOL

Mr. CRAIG. Mr. President, I ask unanimous consent that the Rules Committee be discharged from further consideration of S. Con. Res. 130 and the Senate then proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 130) establishing a special task force to recommend an appropriate recognition for the slave laborers who worked on the construction of the United States Capitol.

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

Mr. CRAIG. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements relating thereto be printed in the RECORD.

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

The concurrent resolution (S. Con. Res. 130) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

## S. CON. RES. 130

Whereas the United States Capitol stands as a symbol of democracy, equality, and freedom to the entire world;

Whereas the year 2000 marks the 200th anniversary of the opening of this historic structure for the first session of Congress to be held in the new Capital City;

Whereas slavery was not prohibited throughout the United States until the ratification of the 13th amendment to the Constitution in 1865;

Whereas previous to that date, African American slave labor was both legal and common in the District of Columbia and the adjoining States of Maryland and Virginia;

Whereas public records attest to the fact that African American slave labor was used in the construction of the United States Capitol;

Whereas public records further attest to the fact that the five-dollar-per-month payment for that African American slave labor was made directly to slave owners and not to the laborer; and

Whereas African Americans made significant contributions and fought bravely for freedom during the American Revolutionary War: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That—*

(1) the Speaker of the House of Representatives and the President pro tempore of the Senate shall establish a special task force to study the history and contributions of these slave laborers in the construction of the United States Capitol; and

(2) such special task force shall recommend to the Speaker of the House of Representatives and the President pro tempore of the Senate an appropriate recognition for these slave laborers which could be displayed in a prominent location in the United States Capitol.

## ORDER OF PROCEDURE—FIRST READINGS

Mr. CRAIG. Mr. President, I ask unanimous consent that it be in order today, notwithstanding an adjournment of the Senate, to read for the first time two bills introduced by Senator KENNEDY and that objection to a second reading be ordered today.

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

## PROGRAM

MR. CRAIG. For the information of all Senators, the Senate will convene on Monday at 12 noon and be in a period of morning business until 2 p.m., with Senators GRAHAM and THOMAS in control of the time. Following morning business, the Senate will resume the final debate on H.R. 4444, the China PNTR legislation. Those Members who have closing remarks are encouraged to come to the floor during Monday's session.

As a reminder, the first votes of next week will be two back-to-back votes on Tuesday, at 2:15 p.m. The first vote will be on final passage of the PNTR bill, and the second vote will be on cloture on the motion to proceed to S. 2045, the H-1B visa bill. The cloture motion was filed during today's session.

## ADJOURNMENT UNTIL MONDAY, SEPTEMBER 18, 2000

Mr. CRAIG. If there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 1:24 p.m., adjourned until Monday, September 18, 2000, at 12 noon.