S. 2682. A bill to authorize the Broadcasting Board of Governors to make available to the Institute for Medial Development certain materials of the Voice of America; to the Committee on Foreign Relations.

By Ms. SNOWE:

S. 2683. A bill to deauthorize a portion of the project for navigation, Kennebunk River, Maine; to the Committee on Environment and Public Works.

By Ms. SNOWE:

S. 2684. A bill to redesignate and reauthorize as anchorage certain portions of the project for navigation, Narraguagus River, Milbridge, Maine; to the Committee on Environment and Public Works.

By Mr. THURMOND:

S.J. Res. 46. A joint resolution commemorating the 225th Birthday of the United States Army; to the Committee on the Judiciary.

By Mr. SMITH of New Hampshire:

S.J. Res. 47. A joint resolution disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to Vietnam; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GORTON (for himself, Mr. FEINGOLD, Mr. ABRAHAM, Mrs. HUTCHISON, Mr. LIEBERMAN, and Mr. SESSIONS):

S. Con. Res. 119. A concurrent resolution commending the Republic of Croatia for the conduct of its parliamentary and presidential elections; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WARNER:

S. 2669. A bill to amend title 10, United States Code, to extend to persons over age 64 eligibility for medical care under CHAMPUS and TRICARE; to extend the TRICARE Senior Prime demonstration program in conjunction with the extension of eligibility under CHAMPUS and TRICARE to such persons, and for other purposes; to the Committee on Armed Services.

LEGISLATION REGARDING MEDICARE-ELIGIBLE MILITARY RETIREES

Mr. WARNER. Mr. President, today I am introducing a bill, S. 2669, to afford members the opportunity to examine the issues related to the complicated military medical program. We desire to change the existing program to encompass, in the future, retirees over age 65.

Beginning in World War II promises were made to military members that they and their families would be provided health care if they served a full career. Subsequent legislation was enacted which cut off medical benefits at age 65, leaving them to depend on the Medicare system, which has provided to be inefficient. This is a breach of promise made on behalf of our country to retirees who devoted a significant portion of their lives with careers in service to their country. I recognize with profound sorrow how we broke this promise to these retirees.

I have gone back and carefully examined these issues. There is no statutory foundation providing for entitlement to military health care benefits. It does not exist. It is a myth. But good faith representation was made to these members. Who made the commitment is irrelevant. I know personally that these representations were made. I served in the military and heard the same promises.

My Committee has made a determination, a bipartisan decision, that we would fix the issue of health care for our older retirees, this year. We have started with a series of bills, strengthening them as we went along, listening to those beneficiaries who use the system. The legislation I bring to the floor today repeals the restriction barring 65 and older military retirees and their families from continued access to the military health care system. If enacted, this legislation will provide an equal benefit for all military health care system beneficiaries, retirees, reservists, guardsmen and families. This puts all beneficiaries in the same class. It is fairly expensive, but we need to do it.

The legislation is a quantum leap over the provisions included in the Committee markup of the annual Defense bill. While the markup includes a comprehensive drug benefit regardless of age, the legislation goes further and provides uninterrupted access to complete health care services.

As a result of my initiatives, all military retirees, irrespective of age, will now enjoy the same health care benefit.

In Town Hall meetings, I have listened carefully to the health care concerns of military retirees—particularly those over age 65 who have lost their entitlement to health care within the current military health care system. The constant theme that runs through their requests is that, once they reach the point at which they are eligible for Medicare, they are no longer guaranteed care from the military health care system. This discriminatory characteristic of our current system—that has been in effect since 1964—reduces retiree medical benefits and requires a significant change in the manner in which health care is obtained at a point in the lives of our older military retirees when stability and confidence are most important. This bill, in effect, repeals the 1964 law.

The bill that I am proposing today would eliminate the current discrimination based on age and would permit military retirees and their dependents to be served by the military health care system throughout their lives. Under my proposal, it would not matter whether the military retiree is 47 years old or 77 years old. He or she will be covered by the military health care system while on active duty and throughout their retirement. No new systems will be required, although the existing military system may require assistance from the Congress to strengthen its ability to serve all retirees. This bill eliminates the confusing and ineffective transfer of funds from Medicare to the Department of Defense. Military retirees will not be required to pay the high cost of additional basic or supplemental insurance premiums to ensure their health care needs are met. Military readiness will not be adversely impacted and our commitment to those who served a full career will be fulfilled.

In order to permit the Department of Defense to plan for restoring the health care benefit to all retirees, my bill would be effective on October 1, 2001. While some may advocate an earlier effective date, it is simply not feasible to expand the medical coverage to the 1.8 million Medicare-eligible retirees overnight.

What is apparent to me is that the will of the Congress, reflecting the will of the Nation, is that now is the time to act on this issue. My bill would eliminate the discriminatory practice that caused concern among our military retirees and will restore full benefits of the military health care system to all retirees.

Access to military health care has reached a crisis point. With the reduction in the number of military hospitals and with the growth in the retiree population, addressing the health care needs of our older retirees has become increasingly difficult. These beneficiaries should be assured that their health care needs will be met. They were promised a healthcare benefit, they served to earn a benefit, and our country needs to fulfill the commitments that were made to them.

I am well aware of the legislative alternatives that have been proposed to address military retiree health care needs. I have struggled to examine the most acute needs of these beneficiaries and have struggled to develop a plan that equally benefits all our retirees, not just those fortunate enough to live near a military medical facility, or those fortunate enough to be selected through some sort of lottery to be allowed to participate in the various pilot programs now underway. My goal is to provide health care through a means that is available to all beneficiaries, in an equitable and complete manner.

As I have made it clear throughout the year, improving the military health care system has been the Committee's top quality of life initiative this year. My Committee has held hearings and listened to a variety of beneficiary representatives. I have traveled throughout my state and listened to the concerns of retirees. I conducted an extensive town hall meeting in Norfolk in March. I have met with many retirees and their representatives at my office, during my travels, and even in social settings. I have listened.

This extensive review has allowed me to examine carefully how to approach this issue. The number one priority I

heard from retirees was the importance of access to pharmaceuticals. This inspired me to develop S. 2087, which provided a mail order pharmacy benefit for all military beneficiaries, including—for the first time—all Medicare eligible retirees. S. 2087 also addressed a number of other issues with the military health care system including some critical improvements to the TRICARE program for both active duty and retirees and their family members. I appreciate the bipartisan support of so many of my colleagues in crafting and introducing this critical first step.

In my many meetings with retirees, and through discussions with my colleagues, I came to understand the need to further enhance S. 2087. I proposed amendments to the budget resolution to increase the funding available to address retiree health care needs. Then, again with bipartisan support, I crafted a new piece of legislation which improved and enhanced the pharmacy provisions of the original legislation. With special assistance from Senator SNOWE and Senator KENNEDY, the new S. 2486 included an enhanced pharmacy benefit with no enrollment fees, that included both retail and mail order programs. This improved legislation addressed the major unmet need of retirees, access to pharmaceuticals, and provides an equitable benefit, one that is not discriminatory based on age. This legislation was included during Committee consideration of the Fiscal Year 2001 National Defense Authorization Bill, with the overwhelming support of Committee members.

The bill now before the Congress compliments my earlier efforts and those of the Committee. This bill, in conjunction with the provisions in the Defense Authorization Bill, would provide a complete health care benefit for all military retirees. I urge my colleagues to support this important legislation.

Mr. President, I ask unanimous consent that the bill and my statement be printed in the RECORD.

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

S. 2669

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONDITIONS FOR ELIGIBILITY FOR CHAMPUS UPON THE ATTAINMENT OF 65 YEARS OF AGE.

(a) ELIGIBILITY OF MEDICARE ELIGIBLE PERSONS.—Section 1086(d) of title 10, United States Code, is amended—

(1) by striking paragraph (2) and inserting the following:

''(2) The prohibition contained in paragraph (1) shall not apply to a person referred to in subsection (c) who—

''(A) is enrolled in the supplementary medical insurance program under part B of such title (42 U.S.C. 1395j et seq.); and

''(B) in the case of a person under 65 years of age, is entitled to hospital insurance benefits under part A of title XVIII of the Social Security Act pursuant to subparagraph (A) or (C) of section 226(b)(2) of such Act (42 U.S.C. 426(b)(2)) or section 226A(a) of such Act (42 U.S.C. 426–1(a)).''; and

(2) in paragraph (4), by striking ''paragraph (1) who satisfy only the criteria specified in subparagraphs (A) and (B) of paragraph (2), but not subparagraph (C) of such paragraph,'' and inserting ''subparagraph (B) of paragraph (2) who do not satisfy the condition specified in subparagraph (A) of such paragraph''.

(b) EXTENSION OF TRICARE SENIOR PRIME DEMONSTRATION PROGRAM.—Paragraph (4) of section 1896(b) of the Social Security Act (42 U.S.C. 1395ggg(b)) is amended by striking ''3-year period beginning on January 1, 1998'' and inserting ''period beginning on January 1, 1998, and ending on December 31, 2002''.

(c) REPEAL OF RELATED DEMONSTRATION PROGRAM.—Section 702 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2431; 10 U.S.C. 1079 note) is repealed.

(d) EFFECTIVE DATES.—(1) Except as provided in paragraph (2), the amendments made by this section shall take effect on October 1, 2001.

(2) The amendment made by subsection (b) shall take effect on the date of the enactment of this Act.

By Mr. THOMAS:

S. 2670. A bill to amend chapter 8 of title 5, United States Code, to require major rules of agencies to be approved by Congress in order to take effect, and for other purposes; to the Committee on Governmental Affairs.

THE CONGRESSIONAL REGULATORY REVIEW REFORM ACT OF 2000

● Mr. THOMAS. Mr. President, I rise today to introduce legislation to curb Federal over-regulation by the executive branch of Government and to restore congressional accountability for the regulatory process.

The annual regulatory costs of the Federal Government on the private sector have been estimated to be $200–$800 billion annually. The pace and scope of over-regulation has accelerated under the Clinton Administration. For example, the IRS has tried to raise taxes administratively, the EPA has exceeded its authority with the Clean Water Action Plan and the National Park Service is trying to eliminate snowmobile use in our national parks, all without congressional authorization. Increasingly, we have found that this administration tries to advance through regulation and executive order an agenda it cannot get done through the normal legislative process. In fact, there are currently 137 major regulations in the works that will each have at least a $100 million cost. That means these new regulations will impose at least a $13.7 billion yearly impact on the economy.

Unfortunately, Congress has allowed this to happen. For years Congress has delegated its most fundamental responsibility—the creation of laws—to the executive branch. Consequently, rather than just enforce laws, these unelected bureaucrats now also write the laws. These regulatory bureaucracies have often been called the fourth branch of Government. This fourth branch has misinterpreted, undercut and directly contradicted the will of Congress time and time again. It is well past time to end this ''regulation without representation.''

As many of my colleagues know, Congress passed the Congressional Review Act in 1996 in an attempt to slow the executive regulatory machine. For the first time, this law established a process by which Congress can review and disapprove virtually all federal agency rules. Unfortunately, the promise of the Act has not been fulfilled.

Between 1996 and 1999, 12,269 nonmajor rules and 186 major rules were submitted to Congress by federal agencies. Only seven joint resolutions of disapproval were introduced, pertaining to five rules. None passed either House. In fact, none have even been debated on the floor of either House.

The legislation I introduce today will address the flaws in the Congressional Review Act and restore the proper balance between the congressional and executive branches when it comes to rule-making. The Congressional Regulatory Review Reform Act will require all major rules (those with a $100 million annual impact as defined by the Office of Management in consultation with GAO) to be approved by Congress before they take effect. If Congress disapproves a rule, an agency will be precluded from proposing the same or similar rule for a period of 6 months. A rule may be given interim effectiveness if the President determines and certifies that a rule should take effect because of an imminent threat to health and safety or emergency (this decision is not judicially reviewable). Finally, the president is authorized to establish, by executive order a program for the systematic review of agency rules.

I believe that congressional review and accountability for federal regulations will improve efficiency and lessen federal government intervention in the daily lives of the American people. Congress cannot allow the Executive Branch to continue to legislate through rules and regulations. Congress must be responsible. Congress must take back its constitutionally granted authority over the rule-making process.

This is not a partisan issue. Supreme Court Justice Stephen Breyer suggested this idea as long ago as 1984. Nor is the purpose of this legislation to overturn a great number of rules submitted by agencies. It is intended to increase incentives regulators have to respond to the views of the general public, rather than narrow interests and to make Congress and the president more politically accountable for the resulting rules.

Mr. President, I am hopeful my colleagues will join me in supporting this commonsense, good government reform.●

By Mr. ASHCROFT:

S. 2671. A bill to amend the Internal Revenue Code of 1986 to promote pension opportunities for women, and for other purposes; to the Committee on Finance.

THE PENSION OPPORTUNITIES FOR WOMEN'S EQUALITY IN RETIREMENT ACT

Mr. ASHCROFT. Mr. President, I rise today to introduce the Pension Opportunities for Women's Equality in Retirement (POWER) Act of 2000. This legislation is important because the current tax code often fails to give women—especially women who take time off to raise children—sufficient opportunities to earn a large enough pension to guarantee their financial security in retirement.

The facts demonstrate that women need help in building pensions for their future. In America today, two-thirds of women over 65 have no pension other than Social Security. This translates into 300,000 women in my home state of Missouri and 14 million women nationwide. At the same time, the median income from assets for women age 65 and over is only $860 a year. Retirement is often compared to a three-legged stool, with the three legs being pensions, savings, and Social Security. Now, everyone knows what happens to a three legged stool when one of the legs is missing: it falls over. But these statistics shows that many, too many, American women are trying to manage their retirements on only one leg of the stool.

As a result of the lack of pensions and relatively low savings among American women, older women are twice as likely as older men to be living near or below the federal poverty threshold. Further, the poverty rates for widows, divorced women, and never-married women are significantly higher than the rate for all elderly women. The 20 million elderly American women—including 440,000 in Missouri—carry an extremely high risk of poverty.

The causes for this risk can be found in the tax code and pension rules. One of the key elements of pension building is called vesting. Employees cannot build pension assets until they vest, or serve at a particular job for a redetermined amount of time, often 5 years. Employers have a perfectly good reason for vesting requirements—they want to encourage job stability—and there is no inherent bias in these requirements. But the effect of these requirements is to make it harder for women to build up pension assets. The reason for this is that the median job tenure for women is 3.8 years, well below the median job tenure for men, as well as the 5 years most pension plans require for vesting.

Another problem women face is that 59 percent of women have not figured out how much they need to save for retirement. When workers, men and women alike, are younger, they are frequently not thinking of how much they need to save for retirement. Younger workers are concerned with mortgages, school loans, children's needs. When these workers get older, and start thinking about retirement, they often increase the amount of money they will put away for retirement. Unfortunately women, who have often spent less time in the workplace, have less time in which to make the required 'catch-up' contributions that will help create a stable and secure retirement. This process is made even harder by existing rules that limit the amounts of the catch-up contributions.

Given the difficulties women, especially unmarried women, face in their retirement years, I believe that it is time for the Congress to step up and to ensure that retirement security law provides for higher contribution limits for working women, easier catch-up to make up for years women missed in the labor force, and increased portability of pensions.

The POWER Act of 2000 will do three major things: First, the bill will increase contribution limits, allowing workers to contribute more money to retirement accounts during their working years, thereby ensuring that their retirements will be more secure.

For workers who are over fifty, the bill allows additional pension contributions of up to 50 percent more than allowed under current law. This provision is particularly helpful to women who leave the labor force to raise their children, and then want to ''catch-up'' when they are older by increasing their contributions in the years leading up to retirement. This bill also requires employers to vest employees earlier, so that women, who have shorter average job tenures, can accrue pension benefits earlier.

The bill's third section eases portability of pensions among workers who switch jobs. The bill eases rollovers and requires that rollovers apply to all retirement plans. In addition, the bill extends pension rollovers to include post-tax as well as pre-tax distributions, and calls for the post-tax distributions to be accounted for separately.

These provisions are not controversial. They have all passed both the Senate and the House of Representatives as part of the Taxpayer Refund and Relief Act. President Clinton vetoed that earlier bill. I disagree with the President, but he is entitled to his opinion. On these provisions, however, it is impossible to claim that these female-friendly provisions will cost too much money. The provisions in this bill will help all workers save more for retirement, and develop larger pensions for their golden years.

This bill will particularly help women, who face a much greater risk of poverty. While the POWER Act will help both women and men save for retirement, it will correct specific pension inequalities in the current law that particularly hurt women. Missouri's nearly 900,000 working women certainly will benefit through enhanced opportunities to create financial security for retirement. In Missouri, 65 percent of working age women are in the paid labor force. According to the Missouri Women's Council, only 26 percent of older women receive a pension, compared with 47 percent of men. In addition, the pensions that women do receive are significantly less than those of men—$4,200 for women, on average, compared with $7,800 for men.

I hope that the Senate will take quick action on this matter, to help American women provide for safe and secure retirements.

By Mrs. FEINSTEIN:

S. 2672. A bill to provide for the conveyance of various reclamation projects to local water authorities; to the Committee on Energy and Natural Resources.

THE SUGAR PINE DAM AND RESERVOIR CONVEYANCE ACT

• Mrs. FEINSTEIN. Mr. President, I am pleased to introduce this bill today which will provide for the transfer of the Sugar Pine Dam and Reservoir Project in the Central Valley Project to the Forest Hills Public Utility District. I continue to support the transfer of the Bureau of Reclamation projects to the local water districts which operate and benefit from them.

This bill is important in one other way. The language in this bill will correct the financial inequity that affects CVP beneficiaries. Some of the costs of constructing Bureau of Reclamation projects have been allocated to other CVP contractors even though the projects have never been operationally integrated into the CVP. Thus, Irrigation and Municipal and Industrial (M&I) contractors such as Contra Costa Water District, East Bay MUD, Santa Clara Valley Water District, Sacramento MUD, City of Fresno and a number of others have incurred substantial costs without ever receiving any benefit.

This bill has the bipartisan support of Congressman GEORGE MILLER and JOHN DOOLITTLE in the House. And I can think of no opposition to assisting Forest Hills Public Utility District and other M&I contractors with this legislation.•

By Mr. REID:

S. 2673. A bill to direct the Secretary of the Interior to convey certain land to Eureka County, Nevada, for continued use as cemeteries, to the Committee on Energy and Natural Resources.

THE EUREKA COUNTY CEMETERY CONVEYANCE ACT

Mr. REID. Mr. President, I rise today to introduce the Eureka County Cemetery Conveyance Act.

The settlement of Beowawe, Nevada was destination and home to pioneers that settled the isolated high desert of the central Great Basin. The inhabitants of this community set aside a specific community cemetery to provide the final resting place for friends and family who passed away. The early settlers established and managed the cemetery in the late 1800's. The Beowawe cemetery is on land currently managed by the Bureau of Land Management (BLM).

The site of these historic cemetery was established prior to the creation of the BLM as an agency. The BLM was created in 1946. Under current law, the agency must sell the encumbered land at fair market value to this community. My bill provides for conveyance of this cemetery to Eureka County, at no cost. It is unconscionable to me that this community would have to buy their ancestors back from the Federal government.

I sincerely hope that members of Congress recognize the benefit to the local community that the conveyances would provide and pass this legislation.

I ask unanimous consent that the full text of the bill be printed in the RECORD.

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

S. 2673

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

Congress finds that—

(1) the historical use by settlers and travelers since the late 1800's of the cemetery known as ''Maiden's Grave Cemetery'' in Beowawe, Nevada, predates incorporation of the land on which the cemetery is situated within the jurisdiction of the Bureau of Land Management; and

(2) it is appropriate that that use be continued through local public ownership of the parcel rather than through the permitting process of the Federal agency.

SEC. 2. CONVEYANCE TO EUREKA COUNTY, NEVADA.

(a) CONVEYANCE.—The Secretary of the Interior, acting through the Director of the Bureau of Land Management (referred to in this section as the ''Secretary''), shall convey, without consideration, subject to valid existing rights, to Eureka County, Nevada (referred to in this section as the ''county''), all right, title, and interest of the United States in and to the parcel of land described in subsection (b).

(b) DESCRIPTION OF LAND.—The parcel of land referred to in subsection (a) is the parcel of public land (including any improvements on the land) known as ''Maiden's Grave Cemetery'', consisting of approximately 10 acres and more particularly described as S1/2NE1/4SW1/4SW1/4, N1/2SE1/4SW1/4SW1/4 of section 10, T.31N., R.49E., Mount Diablo Meridian.

(c) USE OF LAND.—

(1) IN GENERAL.—The county shall continue the use of the parcel conveyed under subsection (a) as a cemetery.

(2) REVERSION.—If the Secretary, after notice to the county and an opportunity for a hearing, makes a finding that the county has discontinued the use of the parcel conveyed under subsection (a) as a cemetery, title to the parcel shall revert to the Secretary.

(d) RIGHT-OF-WAY.—At the time of the conveyance under subsection (a), the Secretary shall grant the county a right-of-way allowing access for persons desiring to visit the cemetery and other cemetery purposes over an appropriate access route.

By Mr. VOINOVICH (for himself and Mr. DEWINE):

S. 2674. A bill to amend title 5, United States Code to provide for realignment of the Department of Defense workforce; to the Committee on Governmental Affairs.

THE DEPARTMENT OF DEFENSE CIVILIAN WORKFORCE REALIGNMENT ACT OF 2000

• Mr. VOINOVICH. Mr. President, the Federal Government is facing a little-known, yet serious problem that jeopardizes its ability to provide services to the American people—a crisis in human capital. The federal workforce has endured years of downsizing, hiring freezes, and inadequate investment in the dedicated men and women who comprise the federal civil service. As a result, the Federal Government is ill-equipped to compete with the private sector for a new generation of technology-savvy workers to replace the nearly 900,000 ''baby boomers'' who will be eligible for retirement from the civil service in the next 5 years.

To meet that challenge, I rise today to introduce legislation, along with my friend and colleague from Ohio, Senator MIKE DEWINE, that will help one critical department of our Federal Government—the Department of Defense—get a head start in addressing its future workforce needs. Our bill, the ''Department of Defense Civilian Workforce Realignment Act of 2000,'' provides the Department of Defense with greater flexibility to adequately manage its civilian workforce and align its human capital to meet the demands of the post-cold-war environment.

During the last decade, the Department of Defense underwent a massive civilian workforce downsizing program that saw a cut of more than 280,000 positions. In addition, the Defense Department—like other federal departments—was subject to hiring restrictions. Taken together, these two factors have inhibited the development of mid-level career, civilian professionals; the men and women who serve a vital role in the management and development of our nation's military. The extent of this problem is exhibited in the fact that right now, the Department is seriously understaffed in certain key occupations, such as computer experts and foreign language specialists. The lack of such professionals has the potential to affect the Defense Department's ability to respond effectively and rapidly to military threats to our nation.

The need to address the pending human capital crisis in the federal workforce is increasingly apparent, as more and more leaders acknowledge that our past policies did not consider future federal workforce needs. Indeed, in testimony before the Oversight of Government Management Subcommittee, which I chair, the head of the General Accounting Office, Comptroller General David Walker, stated, ''(I)n cutting back on the hiring of new staff in order to reduce the number of their employees, agencies also reduced the influx of new people with the new competencies needed to sustain excellence.''

The bill that Senator DEWINE and I are introducing today will help respond to these concerns by giving the Department of Defense the assistance it needs to shape the ''skills mix'' of the current workforce in order to address shortfalls brought about by years of downsizing. Our bill will also help the Department meet its needs for new skills in emerging technological and professional areas.

Another area of concern for the Department of Defense—as well as many other federal agencies—is the serious demographic challenges that exist in its workforce. The average Defense Department employee is 45 years old, and more than a third of the Department's workforce is age 51 or older. In the Department of the Air Force, for example, 45 percent of the workforce will be eligible for either regular retirement or early retirement by 2005.

Wright-Patterson Air Force Base in Dayton, OH, is an excellent example of the demographic challenge facing military installations across the country. Wright-Patterson is the headquarters of the Air Force Materiel Command, and employs 22,700 civilian federal workers. By 2005, 60 percent of the Base's civilian workforce will be eligible for either regular retirement or early retirement. Although a mass exodus of all retirement-eligible employees is not anticipated, there is a genuine concern that a significant portion of the Wright-Patterson civilian workforce, including hundreds of key leaders and employees with crucial expertise, could decide to retire, leaving the remaining workforce without experienced leadership and absent essential institutional knowledge.

This combination of factors poses a serious challenge to the long-term effectiveness of the civilian component of the Defense Department, and by implication, the national security of the United States.

Military base leaders, and indeed the entire Defense establishment, need to be given the flexibility to hire new employees so they can begin to develop another generation of civilian leaders and employees who will be able to provide critical support to our men and women in uniform.

That is the purpose of the legislation we are introducing today. The Department of Defense Civilian Workforce Realignment Act addresses the current imbalance between the federal workforce and the skills needed to run the Federal Government in the 21st century, as well as the age imbalance between new employees and the potential mass retirement of senior public employees in the next 5 years. If we wait for this ''retirement bubble'' to burst before we begin to hire new employees, then not only will we be woefully understaffed in a number of key areas, but we will have fewer seasoned individuals left in the federal workforce who can provide training and mentoring.

The provisions in our bill will allow the Defense Department to conduct a smoother transition by bringing new employees into the Department over

the next 5 years. The new employees will have the opportunity to work with and learn from their more experienced colleagues, and invaluable institutional knowledge will be passed along.

While this proposal does not address all of the human capital needs of the Defense Department, it will help ensure that the Department of Defense recruits and retains a quality civilian workforce so that our Armed Forces may remain the best in the world. It is extremely important to the future vitality of the Department's civilian workforce and the national security of the United States that we address the human capital crisis while we have the opportunity. I urge my colleagues to support this legislation.

Thank you, Mr. President. I ask unanimous consent that the bill be printed in full in the RECORD.

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

S. 2674

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Department of Defense Civilian Workforce Realignment Act of 2000''.

SEC. 2. EXTENSION OF AUTHORITY FOR VOLUNTARY SEPARATIONS IN REDUCTIONS IN FORCE.

Section 3502(f)(5) of title 5, United States Code, is amended by striking ''September 30, 2001'' and inserting ''September 30, 2005''.

SEC. 3. EXTENSION, REVISION, AND EXPANSION OF AUTHORITIES FOR USE OF VOLUNTARY SEPARATION INCENTIVE PAY AND VOLUNTARY EARLY RETIREMENT.

(a) EXTENSION OF AUTHORITY.—Subsection (e) of section 5597 of title 5, United States Code, is amended by striking ''September 30, 2003'' and inserting ''September 30, 2005''.

(b) REVISION AND ADDITION OF PURPOSES FOR DEPARTMENT OF DEFENSE VSIP.—Subsection (b) of such section is amended by inserting after ''transfer of function,'' the following: ''restructuring of the workforce (to meet mission needs, to achieve one or more strength reductions, to correct skill imbalances, or to reduce the number of high-grade, managerial, or supervisory positions),''.

(c) INSTALLMENT PAYMENTS.—Subsection (d) of such section is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) shall be paid in a lump-sum or in installments;'';

(2) by striking ''and'' at the end of paragraph (3);

(3) by striking the period at the end of paragraph (4) and inserting ''; and''; and

(4) by adding at the end the following:

''(5) if paid in installments, shall cease to be paid upon the recipient's acceptance of employment by the Federal Government as described in subsection (g)(1).''.

SEC. 4. DEPARTMENT OF DEFENSE EMPLOYEE VOLUNTARY EARLY RETIREMENT AUTHORITY.

(a) CIVIL SERVICE RETIREMENT SYSTEM.—Section 8336 of title 5, United States Code, is amended—

(1) in subsection (d)(2), by inserting ''except in the case of an employee described in subsection (o)(1),'' after ''(2)''; and

(2) by adding at the end the following:

''(o)(1) An employee of the Department of Defense who, before October 1, 2005, is separated from the service after completing 25 years of service or after becoming 50 years of age and completing 20 years of service is entitled to an immediate annuity under this subchapter if the employee is eligible for the annuity under paragraph (2) or (3).

''(2)(A) An employee referred to in paragraph (1) is eligible for an immediate annuity under this paragraph if the employee—

''(i) is separated from the service involuntarily other than for cause; and

''(ii) has not declined a reasonable offer of another position in the Department of Defense for which the employee is qualified, which is not lower than 2 grades (or pay levels) below the employee's grade (or pay level), and which is within the employee's commuting area.

''(B) For the purposes of paragraph (2)(A)(i), a separation for failure to accept a directed reassignment to a position outside the commuting area of the employee concerned or to accompany a position outside of such area pursuant to a transfer of function may not be considered to be a removal for cause.

''(3) An employee referred to in paragraph (1) is eligible for an immediate annuity under this paragraph if the employee satisfies all of the following conditions:

''(A) The employee is separated from the service voluntarily during a period in which the organization within the Department of Defense in which the employee is serving is undergoing a major organizational adjustment, as determined by the Secretary of Defense.

''(B) The employee has been employed continuously by the Department of Defense for more than 30 days before the date on which the head of the employee's organization requests the determinations required under subparagraph (A).

''(C) The employee is serving under an appointment that is not limited by time.

''(D) The employee is not in receipt of a decision notice of involuntary separation for misconduct or unacceptable performance.

''(E) The employee is within the scope of an offer of voluntary early retirement, as defined on the basis of one or more of the following objective criteria:

''(i) One or more organizational units.

''(ii) One or more occupational groups, series, or levels.

''(iii) One or more geographical locations.

''(iv) Any other similar criteria that the Secretary of Defense determines appropriate.

''(4) The determinations necessary for establishing the eligibility of a person for an immediate annuity under paragraph (2) or (3) shall be made in accordance with regulations prescribed by the Secretary of Defense.

''(5) In this subsection, the term 'major organizational adjustment' means any of the following:

''(A) A major reorganization.

''(B) A major reduction in force.

''(C) A major transfer of function.

''(D) A workforce restructuring—

''(i) to meet mission needs;

''(ii) to achieve one or more reductions in strength;

''(iii) to correct skill imbalances; or

''(iv) to reduce the number of high-grade, managerial, supervisory, or similar positions.''.

(b) FEDERAL EMPLOYEES' RETIREMENT SYSTEM.—Section 8414 of such title is amended—

(1) in subsection (b)(1)(B), by inserting ''except in the case of an employee described in subsection (d)(1),'' after ''(B)''; and

(2) by adding at the end the following:

''(d)(1) An employee of the Department of Defense who, before October 1, 2005, is separated from the service after completing 25 years of service or after becoming 50 years of age and completing 20 years of service is entitled to an immediate annuity under this subchapter if the employee is eligible for the annuity under paragraph (2) or (3).

''(2)(A) An employee referred to in paragraph (1) is eligible for an immediate annuity under this paragraph if the employee—

''(i) is separated from the service involuntarily other than for cause; and

''(ii) has not declined a reasonable offer of another position in the Department of Defense for which the employee is qualified, which is not lower than 2 grades (or pay levels) below the employee's grade (or pay level), and which is within the employee's commuting area.

''(B) For the purposes of paragraph (2)(A)(i), a separation for failure to accept a directed reassignment to a position outside the commuting area of the employee concerned or to accompany a position outside of such area pursuant to a transfer of function may not be considered to be a removal for cause.

''(3) An employee referred to in paragraph (1) is eligible for an immediate annuity under this paragraph if the employee satisfies all of the following conditions:

''(A) The employee is separated from the service voluntarily during a period in which the organization within the Department of Defense in which the employee is serving is undergoing a major organizational adjustment, as determined by the Secretary of Defense.

''(B) The employee has been employed continuously by the Department of Defense for more than 30 days before the date on which the head of the employee's organization requests the determinations required under subparagraph (A).

''(C) The employee is serving under an appointment that is not limited by time.

''(D) The employee is not in receipt of a decision notice of involuntary separation for misconduct or unacceptable performance.

''(E) The employee is within the scope of an offer of voluntary early retirement, as defined on the basis of one or more of the following objective criteria:

''(i) One or more organizational units.

''(ii) One or more occupational groups, series, or levels.

''(iii) One or more geographical locations.

''(iv) Any other similar criteria that the Secretary of Defense determines appropriate.

''(4) The determinations necessary for establishing the eligibility of a person for an immediate annuity under paragraph (2) or (3) shall be made in accordance with regulations prescribed by the Secretary of Defense.

''(5) In this subsection, the term 'major organizational adjustment' means any of the following:

''(A) A major reorganization.

''(B) A major reduction in force.

''(C) A major transfer of function.

''(D) A workforce restructuring—

''(i) to meet mission needs;

''(ii) to achieve one or more reductions in strength;

''(iii) to correct skill imbalances; or

''(iv) to reduce the number of high-grade, managerial, supervisory, or similar positions.''.

(c) CONFORMING AMENDMENTS.—(1) Section 8339(h) of such title is amended by striking out ''or (j)'' in the first sentence and inserting ''(j), or (o)''.

(2) Section 8464(a)(1)(A)(i) of such title is amended by striking out ''or (b)(1)(B)'' and '', (b)(1)(B), or (d)''.

(d) EFFECTIVE DATE; APPLICABILITY.—The amendments made by this section—

(1) shall take effect on October 1, 2000; and

(2) shall apply with respect to an approval for voluntary early retirement made on or after that date.

SEC. 5. RESTRICTIONS ON PAYMENTS FOR ACADEMIC TRAINING.

(a) SOURCES OF POSTSECONDARY EDUCATION.—Subsection (a) of section 4107 of title 5, United States Code, is amended—

(1) by striking ''or'' at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting ''; or''; and

(3) by adding at the end the following:

''(3) any course of postsecondary education that is administered or conducted by an institution not accredited by a national or regional accrediting body (except in the case of a course or institution for which standards for accrediting do not exist or are determined by the head of the employee's agency as being inappropriate), regardless of whether the course is provided by means of classroom instruction, electronic instruction, or otherwise.''.

(b) WAIVER OF RESTRICTION ON DEGREE TRAINING.—Subsection (b)(1) of such section is amended by striking ''if necessary'' and all that follows through the end and inserting ''if the training provides an opportunity for an employee of the agency to obtain an academic degree pursuant to a planned, systematic, and coordinated program of professional development approved by the head of the agency.''.

(c) CONFORMING AND CLERICAL AMENDMENTS.—The heading for such section is amended to read as follows:

''§ 4107. Restrictions''.

(3) The item relating to such section in the table of sections at the beginning of chapter 41 of title 5, United States Code, is amended to read as follows:

''4107. Restrictions.''.

SEC. 6. STRATEGIC PLAN.

(a) REQUIREMENT FOR PLAN.—Not later than six months after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a strategic plan for the exercise of the authorities provided or extended by the amendments made by this Act. The plan shall include an estimate of the number of Department of Defense employees that would be affected by the uses of authorities as described in the plan.

(b) CONSISTENCY WITH DOD PERFORMANCE AND REVIEW STRATEGIC PLAN.—The strategic plan submitted under subsection (a) shall be consistent with the strategic plan of the Department of Defense that is in effect under section 306 of title 5, United States Code.

(c) APPROPRIATE COMMITTEES.—For the purposes of this section, the appropriate committees of Congress are as follows:

(1) The Committee on Armed Services and the Committee on Governmental Affairs of the Senate.

(2) The Committee on Armed Services and the Committee on Government Reform of the House of Representatives.●

Mr. DEWINE. Mr. President, today Senator VOINOVICH and I are introducing the Department of Defense Civilian Workforce Realignment Act of 2000. This legislation is designed to give the Department of Defense some of the administrative flexibility it needs to shape the civilian workforce to meet the tremendous national defense challenges that face our nation well into this century.

My colleague from Ohio and I, along with our Ohio colleagues in the House, Mr. HOBSON and Mr. HALL have been working on this issue for almost two years. What has fostered this bipartisan unity is the current workforce situation at Wright-Patterson Air Force Base in Dayton, Ohio. What we have seen there is a rather large microcosm of a current and growing problem that affects the civilian workforce throughout our defense infrastructure. At Wright-Patterson, this problem threatens to diminish significantly the pool of talented experts in critical research and development fields. As I have often said, Wright-Patterson is the brain power behind our air power, and is the central reason why our Air Force is second to none in technological and aeronautical superiority.

Wright-Patterson has already lost a significant number of people who constituted that brain power as a result of Cold War downsizing. In the last decade alone, 8,000 positions at Wright-Patterson have been lost. For the entire Department of Defense, approximately 280,000 positions were lost during the same period. At the same time we were downsizing, hiring restrictions prevented the Defense Department from establishing a foundation of younger innovators. In short, the combination of downsizing, retirement, and a hiring freeze has left a shallow talent pool of young skilled workers.

The statistics tell the story. Today, for example, nearly one out of 10 civilian workers at Wright-Patterson's Aeronautical Systems Center are under the age of 35, while more than one-third of the workforce is over the age of 50. In less than five years, more than half of this workforce will be eligible for retirement, but only 2.5 percent will be under the age of 35. This trend is typical for all civilian functions at Wright-Patterson.

The Department of Defense Civilian Workforce Realignment Act would extend, revise and expand the Defense Department's limited authority to use voluntary incentive pay and voluntary early retirement. Our bill would allow for the Department to utilize the added authority to restructure the civilian workforce to meet missions needs and to correct skill imbalances. Given the significant numbers of eligible federal retirees the Department will face in just a few short years, this legislation would give the Department the ability to better manage this extraordinary transition period. Just as important, this smoother transition period would allow for better and more effective development of our younger workers, who will have a better chance to learn and gain from the expertise of the older generation of innovators.

The legislation we are introducing, fundamentally for Wright-Patterson Air Force Base, is about maintaining technological superiority. That superiority is the foundation of future Air Force dominance in the skies. It's that simple. Weakening that foundation places the lives of our pilots and the security of our nation at risk. Our legislation is a positive step toward rebuilding and strengthening that foundation with an investment in those who will make tomorrow's discoveries and breakthroughs that will keep our pilots safe and our nation secure.

I am pleased that the Department of the Air Force and the Department of Defense have expressed the need for workforce realignment legislation. I believe the legislation Senator VOINOVICH and I are introducing today will meet the concerns they have expressed not just to us, but also to other members of the House and Senate.

I want to thank Senator VOINOVICH for his efforts and leadership on his legislation, and also want to extend my appreciation to his staff, especially Aric Newhouse and Andrew Richardson, for their hard work. The Miami Valley community also has been of great help in demonstrating the importance of this issue not just to Wright-Patterson but also to the entire region and the nation.

I urge my colleagues to support this legislation.

By Ms. SNOWE (for herself and Ms. MIKULSKI):

S. 2675. A bill to establish an Office on Women's Health within the Department of Health and Human Services; to the Committee on Health, Education, Labor, and Pensions.

WOMEN'S HEALTH OFFICE ACT OF 2000

● Ms. SNOWE. Mr. President, I rise today to introduce the Women's Health Office Act of 2000 and I am pleased to be joined on this legislation by my friend and colleague, Senator BARBARA MIKULSKI. Companion legislation to this bill has been introduced in the House by Congresswomen CONNIE MORELLA and CAROLYN MALONEY.

The Women's Health Office Act of 2000 provides permanent authorization for offices of women's health in five federal agencies: the Department of Health and Human Services (HHS); the Centers for Disease Control and Prevention (CDC); the Agency for Health Care Research and Quality (AHRQ); the Health Resources and Services Administration (HRSA); and the Food and Drug Administration (FDA).

Currently, only two women's health offices in the federal government have statutory authorization: the Office of Research on Women's Health at the National Institutes of Health (NIH) and the Office for Women's Services within the Substance Abuse and Mental Health Services Administration (SAMHSA).

For too many years, women's health care needs were ignored or poorly understood, and women were systematically excluded from important health research. One famous medical study on breast cancer examined hundreds of men. Another federally-funded study examined the ability of aspirin to prevent heart attacks in 20,000 medical doctors, all of whom were men, despite the fact that heart disease is the leading cause among women.

Today, members of Congress and the American public understand the importance of ensuring that both genders benefit equally from medical research

and health care services. Unfortunately, equity does not yet exist in health care, and we have a long way to go. Knowledge about appropriate courses of treatment for women lags far behind that for men for many diseases. For years, research into diseases that predominantly affect women, such as breast cancer, went grossly underfunded. And many women do not have access to reproductive and other vital health services.

Throughout my tenure in the House and Senate, I have worked hard to expose and eliminate this health care gender gap and improve women's access to affordable, quality health services. Ten years, ago, as co-chairs of the Congressional Caucus for Women's Issues (CCWI), Representative Pat Schroeder and I, along with Representative HENRY WAXMAN, called for a GAO investigation into the inclusion of women and minorities in medical research at the National Institutes of Health.

This study documented the widespread exclusion of women from medical research, and spurred the Caucus to introduce the first Women's Health Equity Act (WHEA) in 1990. This comprehensive legislation provided Congress with its first broad, forward-looking health agenda designed to redress the historical inequities that face women in medical research, prevention and services.

Three years later Congress enacted legislation mandating the inclusion of women and minorities in clinical trials at NIH through the National Institutes of Health Revitalization Act of 1993 (P.L. 103–43). Also included in the NIH Revitalization Act was language establishing the NIH Office of Research on Women's Health—language based on my original Office of Women's Health bill that was introduced in the 104th Congress.

And yet, despite all the progress that we have made, there is still a long way to go on women's health care issues. Last month, the GAO released a report—a ten-year update—on the status of women's research at NIH (''NIH Has Increased Its Efforts to Include Women in Research,'' published on May 2, 2000). This report found that since the first GAO report and the 1993 legislation, NIH has made significant progress toward including women as subjects in both intramural and external clinical trials.

However, the report notes that the Institutes have made less progress in implementing the requirement that certain clinical trials be designed and carried out to permit valid analysis by sex, which could reveal whether interventions affect women and men differently. The GAO found that NIH researchers will include women in their trials—but then they will either not do analysis on the basis of sex, or if no difference was found, they will not publish the sex-based results.

NIH has done a good job of improving participation of women in clinical trials, but our commitment to women's health this is not about quotas and numbers. It is about real scientific advances that will improve our knowledge about women's health. At a time when we are on track to double funding for NIH, it is troubling that the agency has still failed to fully implement both its own guidelines and Congress's directive for sex-based analysis. And as a result, women continue to be shortchanged by federal research efforts.

The crux of the matter is that NIH's problems exist despite the fact that it has an Office of Women's Health that is codified in law. If NIH is having problems, imagine the difficulties we will have in continuing the focus on women's health in offices that don't have this legislative mandate, and that may change focus with a new HHS Secretary or Agency Director.

Offices of Women's Health across the Public Health Service are charged with coordinating women's health activities and monitoring progress on women's health issues within their respective agencies, and they have been successful in making federal programs and policies more responsive to women's health issues. Unfortunately, all of the good work these offices are doing is not guaranteed in Public Health Service authorizing law. Providing statutory authorization for federal women's health offices is a critical step in ensuring that women's health research will continue to receive the attention it requires in future years.

Codifying these offices of women's health is important for several reasons: First, it re-emphasizes Congress's commitment to focusing on women's health. Second, it ensures that Agencies will enact Congress's intent with good faith. Finally, it ensures that appropriations will be available in future years to fulfill these commitments.

By statutorily creating Offices of Women's Health, the Deputy Assistant Secretary for Women's Health will be able to better monitor various Public Health Service agencies and advise them on scientific, legal, ethical and policy issues. Agencies would establish a Coordinating Committee on Women's Health to identify and prioritize which women's health projects should be conducted. This will also provide a mechanism for coordination within and across these agencies, and with the private sector. But most importantly, this bill will ensure the presence of enduring offices dedicated to addressing the ongoing needs and gaps in research policy, programs, and education and training in women's health.

Improving the health of American women requires a far greater understanding of women's health needs and conditions, and ongoing evaluation in the areas of research, education, prevention, treatment and the delivery of services. I urge my colleagues to join Senator MIKULSKI and me in supporting this legislation, to help ensure that women's health will never again be a missing page in America's medical textbook.●

● Ms. MIKULSKI. Mr. President, I rise to join my good friend and colleague, Senator SNOWE, to introduce the Women's Health Office Act of 2000. I'm pleased to join Senator SNOWE in introducing this bill because it establishes an important framework to address women's health within the Department of Health and Human Services (DHHS).

Historically, women's health needs were ignored or inadequately addressed by the medical establishment and the government. It is really only in the last ten years that the health of women has begun to receive more attention. A 1990 General Accounting Office (GAO) report acknowledged the historical pattern of neglect of women in health research, and especially the exclusion of women as research subjects in many clinical trials. This was unacceptable. Women make up half or more of the population and must be adequately included in clinical research. That's why I fought to establish the Office of Research on Women's Health (ORWH) at the National Institutes of Health (NIH) ten years ago. We needed to ensure that women were included in clinical research, so that we would know how treatments for a particular disease or condition would affect women. Would men and women react the same way to a particular treatment for heart disease? We had no way of knowing because women were not being included in clinical trials.

While the ORWH began its work in 1990, I wanted to ensure that it stayed at NIH and had the necessary authority to carry out its mission of ensuring that women were included in clinical research. That's why I authored legislation in 1990 and 1991 to formally establish the ORWH in the Office of the Director of NIH. These provisions were later enacted into law in the NIH Revitalization Act of 1993.

Last year, Senator HARKIN, Senator SNOWE, and I requested that GAO examine how well the NIH and ORWH was carrying out the mandates under the NIH Revitalization Act of 1993. The results were mixed. While NIH had made substantial progress in ensuring the inclusion of women in clinical research, it had made less progress in encouraging the analysis of study findings by sex. This means that women are being included in clinical trials, but we are not able to fully reap the benefits of inclusion because analysis of how interventions affect men and women is not being done. While the NIH is taking steps to address this, we are missing information from research done over the last few years about how the outcomes of the research varied or not for men and women.

NIH is but one agency in the DHHS. Other agencies in DHHS do not even have women's health offices. How are these other agencies addressing women's health? Only NIH and the Substance Abuse and Mental Health Services Administration (SAMHSA) have statutory authorization for offices dedicated to women's health. Other

agencies in HHS have a hodgepodge of women's health offices or advisors/coordinators, some of whom have experienced cuts in their funding. For example, funding for the Food and Drug Administration's (FDA) Office of Women's Health has decreased from $2 million in Fiscal Year 1995 to $1.6 million in Fiscal Year 2000. In addition, funding for the Centers for Disease Control and Prevention's (CDC) Office of Women's Health was cut more than 10% between Fiscal Year 1999 and Fiscal Year 2000.

I believe we need a consistent and comprehensive approach to address the needs of women's health in the DHHS. This bill that I join Senator SNOWE in introducing today would do just that. The Women's Health Office Act of 2000 would provide authorization for women's health offices in DHHS, CDC, the FDA, the Agency for Healthcare Research and Quality (AHRQ), and the Health Resources and Serivces Administration (HRSA).

This legislation establishes an important framework and build on existing efforts. The HHS Office on Women's Health would take over all functions which previously belonged to the current Office of Women's Health of the Public Health Service. The HHS Office would be headed by a Deputy Assistant Secretary for Women's Health who would also chair an HHS Coordinating Committee on Women's Heath. The responsibilities of the HHS Office would include establishing short and long-term goals, advising the Secretary of HHS on women's health issues, monitoring and facilitating coordination and stimulating HHS activities on women's health, establishing a national Women's Health Information Center to facilitate exchange of and access to women's health information, and coordinating private sector efforts to promote women's health.

Under this legislation, the Offices of Women's Health in CDC, FDA, HRSA, and AHRQ would be housed in the office of the head of each agency and be headed by a Director appointed by the head of the respective agency. The offices would assess the current level of activity on women's health in the agency; establish short-term and long-term goals for women's health and coordinate women's health activities in the agency; identify women's health projects to support or conduct; consult with appropriate outside groups on the agency's policy regarding women; serve on HHS' Coordinating Committee on Women's Health; and establish and head a coordinating committee on women's health within the agency to identify womens' health needs and make recommendations to the head of the agency. The FDA office would also have specific duties regarding women and clinical trials. All the offices, including the HHS Office beginning no later than Jan. 31. 2002, would submit a report every two years to the appropriate Congressional committees documenting activities accomplished. In addition, the bill authorizes appropriations for all the offices through 2005

I believe that this bill will establish a valuable and consistent framework for addressing women's health in the Department of Health and Human Services. It will help to ensure that women's health research will continue to have the resources it needs in the coming years. This bill is a priority of the Women's Health Research Coalition. The Coalition is comprised of nearly three dozen academic centers, voluntary health associations and membership organizations with a strong focus on women's health research and gender-based biology. I encourage my colleagues to join Senator SNOWE and myself in supporting and cosponsoring this important legislation for women.●

By Mr. HUTCHINSON (for himself, Mr. GREGG, Mr. ENZI, Mr. HAGEL, Mr. SESSIONS, Mrs. HUTCHISON, Mr. KYL, Mr. NICKLES, Mr. HELMS, Mr. ALLARD, Mr. SMITH of New Hampshire, and Mr. INHOFE):

S. 2676. A bill to amend the National Labor Relations Act to provide for inflation adjustments to the mandatory jurisdiction thresholds of the National Labor Relations Board; to the Committee on Health, Education, Labor, and Pensions.

LEGISLATION REGARDING INFLATION ADJUSTMENTS TO MANDATORY JURISDICTION THRESHOLDS OF THE NATIONAL LABOR RELATIONS BOARD

● Mr. HUTCHINSON. Mr. President, I ask unanimous consent that the bill and additional material be printed in the RECORD.

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

S. 2676

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. INFLATION ADJUSTMENTS TO MANDATORY JURISDICTION THRESHOLDS OF NATIONAL LABOR RELATIONS BOARD.

Section 14(c)(1) of the National Labor Relations Act (29 U.S.C. 164(c)(1)) is amended to read as follows:

''(c)(1)(A) MANDATORY JURISDICTION.—The Board shall assert jurisdiction over any labor dispute involving any class or category of employers over which it would assert jurisdiction under the standards prevailing on August 1, 1959, with the financial threshold amounts adjusted for inflation under subparagraph (B).

''(B) INFLATION ADJUSTMENTS.—The Board, beginning on October 1, 2000, and not less often than every 5 years thereafter, shall adjust each of the financial threshold amounts referred to in subparagraph (A) for inflation, using as the base period the later of (i) the most recent calendar quarter ending before the financial threshold amount was established, or (ii) the calendar quarter ending June 30, 1959. The inflation adjustments shall be determined using changes in the Consumer Price Index for all urban consumers published by the Department of Labor and shall be rounded to the nearest $10,000. The Board shall prescribe any regulations necessary for making the inflation adjustments.''.

[From the Dallas Morning News, Apr. 28, 2000]

MIKE HUCKABEE: GOVERNMENT'S FLAWED PURSUIT OF MICROSOFT

(By Mike Huckabee, Governor of Arkansas)

As a lifelong Southerner, I am proud our region is known for its hospitality and common sense. It seems the Justice Department could use a little of both in the handling of its antitrust suit against the Microsoft Corp.

When Federal Judge Thomas Penfield Jackson recently issued his ruling, he gave credence to the flawed logic upon which the government has built its case.

That flawed logic should have precluded the federal government from bringing the case in the first place. Washington bureaucrats shouldn't be in the business of choosing winners and losers in the private sector. That responsibility belongs to consumers.

The government's theory behind the case is that America's high-technology industry has been victimized by Microsoft's stifling competition and squelching innovation. Every piece of the federal government's theory is an insult to the free-enterprise system and the will of consumers.

First, there is no more competitive industry in the world than America's high-tech market. That is as true today as it was before the federal government's five-year, $30 million attempt to regulate free enterprise. There are thousands of companies selling software products today, far more than at the start of the trial.

And in the time since the federal government and 19 state attorneys general filed their suit, America's technology industry has produced one-third of the nation's economic growth.

Those facts hardly would support the government's characterization of the information technology industry as a shell of its former self.

As for innovation, consider the change in the simple matter of personal computing since 1995. In 1995, the personal computer was just starting to have its potential realized with the development—among other innovations—of Windows 95. Just as Windows 95 has since been rendered obsolete by Microsoft itself, so now is the debate beginning about the future of the personal computer as we know it. Many believe the PC soon will be replaced by Internet-based appliances in phones, televisions and hand-held computing devices. The technology industry in 2000 looks nothing like it did in 1995.

Just as many of the technologies of the mid-'90s now are obsolete, so are the issues the government has raised in this case. The high-tech market has moved—and will continue to move—too quickly for any government to keep tabs on it through regulation. By the time federal bureaucrats get around to fixing rules, the market will change them. That is the way of the new economy, built on competition, innovation and customer service.

The federal government's case against Microsoft attacks all three principles.

Instead of the self-regulating competition that has enabled Microsoft to lead the technology industry to its current heights, the government favors either breaking up the company or regulating away its freedom to innovate and compete. The federal government's ''remedy'' would insert bureaucrats into the technology market in ways never before imagined. Those Washington bureaucrats would be involved in questions of product design and marketing. That would empower pencil-pushing Beltway bureaucrats to second-guess innocent computer programmers and entrepreneurs. The new arrangement would enable regulators to pick winners and losers in the marketplace, stripping consumers of their rights.

In a free market, it is consumers, not bureaucrats, who should control the destinies of individual industries and companies. In response to consumers' influence over the market, companies have lowered prices, created new products and focused on customer services. The government's scheme would negate those market forces. It also would preclude the industry and the government from working together to bridge the digital divide, since the industry probably would be forced to raise prices to account for new regulatory compliance costs. Higher prices would prohibit low-income families from enjoying newer technologies, so poor families would remain behind the technological curve.

The Justice Department has wasted the taxpayers' money and attacked the interests of consumers, from the case's inception to the intentional failure of government lawyers to settle the case to the reckless breakup scheme it hatched to punish Microsoft. The suit is a deliberate attempt by the government to circumvent the economic authority of consumers and entrepreneurs in the free market. It seems the least the federal government could show the American people would be a little bit of hospitality and common sense on this issue.•

By Mr. FRIST (for himself and Mr. FEINGOLD):

S. 2677. A bill to restrict assistance until certain conditions are satisfied and to support democratic and economic transition in Zimbabwe; to the Committee on Foreign Relations.

LEGISLATION TO PROMOTE POLITICAL AND ECONOMIC REFORM IN ZIMBABWE

• Mr. FRIST. Mr. President, on its surface, the turmoil and death toll of Zimbabwe's brutal farm invasions is an economic and racial battle. At its core, it is an engineered effort to distract from the government's assault on a besieged democratic opposition movement. The crisis in Zimbabwe has profound implications for Africa far beyond the killings and lawlessness necessary to sustain it. It has the potential to fundamentally compromise the future of the entire region and the United States' most basic interests there. But it is a crisis which we are ill-prepared to address, and time is not on our side.

President Robert Mugabe's orchestration and blessing of the invasions of predominantly white-owned commercial farms—the backbone of Zimbabwe's export economy—by so-called war veterans is actually a shrewd maneuver to disguise behind the veil of a racial drama his relentless attack on the democratic institutions and rule of law in Zimbabwe. By successfully casting the issue as one of race rather than his own lawlessness. President Mugabe has paralyzed the very forces which should otherwise call his bluff.

Most notable among the paralyzed are other African heads of state—and Kofi Annan. The deliberate introduction of a racial element to the controversy has left them in an untenable position: if they dare criticize behavior they find outrageous or even dangerous, they would seemingly side against black Africans on behalf of ''colonial'' whites. Thus neighboring heads of state—some of whom have shown great commitment to democracy and racial reconciliation in their own countries—are unhappily muted, even seemingly compelled to support President Mugabe's antics.

Yet the near paralysis of the United States is of greatest concern. Over 10,000 Zimbabwean troops from the thin green line which keeps Laurent Kabila in power in the Democratic Republic of Congo. The volatile Kabila, in turn, determines whether or not the war in Congo ends peacefully—a goal to which the administration has staked considerable political capital during ''the month of Africa'' at the United Nations. Thus, President Mugabe has presented us with a ludicrous choice between support for democracy in Zimbabwe and the chance to prevent Kabila from plunging Congo back into full scale war. The United States is frozen lest we provoke them.

Relatively small Zimbabwe's ability to direct the fate of Congo and the entire central African region is testament to its weight on the continent and why its internal chaos is reason for great concern. Zimbabwe can be a force for good or bad in southern Africa, the region which will in turn, drive either the progress or further demise of the entire continent south of the Sahara. Zimbabwe is currently a driving force for its demise. The best chance to reverse that is through support for the democratic forces challenging a leader whose increasingly destructive acts imperil the continent. The United States' policy imperative in Zimbabwe could not be clearer, but we are seemingly unprepared to take the necessary steps to aggressively defend democracy and our national interests.

First, the United States must be willing to ''decouple'' our support for democracy in Zimbabwe from the war in Congo. As in any hostage situation, you never let the captor dictate the terms. That will require commitment of considerable political capital and diplomatic muscle. It will require taking some necessary risks.

Second, the United States should not wait until after ballots are cast for parliament on June 24 and 25 to declare whether the elections were ''free and fair'' or even ''flawed but representative.'' The government's attempt to steal the election now through violence, intimidation, and brazen manipulation of procedures are in daily news reports. Silence on that point makes us accomplices in its attempts to maintain its grip on power and false pretense of democracy. More insidious, the world is helping to pave the way for the same deception and violence in the critical 2002 presidential elections by essentially demonstrating how little we expect when it comes to democracy in Africa. It stands in shameful contrast to our expectations and actions in South Africa in 1994.

Third, we must explicitly link international financial support and cooperation with Zimbabwe to the fate of its democratic institutions. With the virtual end of support from international lending institutions and economic aid, we have precious few ''sticks'' at our disposal. The ''carrots'' are real, through. We must use them to communicate that democracy brings immediate benefits and to entice and generously shore up any gains made, including progress on real land reform. In the 20 years since independence, land reform, which is broadly supported in Zimbabwe and among donors, has been slow and has benefitted ruling party insiders.

It is critical that the United States be clear about its support for peaceful democratic transition in Zimbabwe. That fact must be communicated to the Zimbabwean government in no uncertain terms, and to the Zimbabwean people. They should know that we back them in their struggle for democracy.

But it must be more than just words. The United States should be prepared to meet the needs of those fighting for democracy, and to be there to assist them should they have the opportunity to govern.

Mr. President, to that end, Senators FEINGOLD and HELMS have joined me in introducing the Zimbabwe Democracy Act. The legislation contains several critical democratic support mechanisms which we should act quickly to put in place.

First, it unequivocally states the policy of the United States is to support the people of Zimbabwe in their struggles to effect peaceful, democratic change, achieve broad-based and equitable economic growth, and restore the rule of law.

It suspends bilateral assistance to the government of Zimbabwe; suspends any debt reduction measures for the government of Zimbabwe; and instructs the U.S. executive directors of the multilateral lending institutions to vote against the extension of any credit or benefits to the government of Zimbabwe until rule of law and democratic institutions are restored.

It includes explicit exceptions for humanitarian, health and democracy support programs. It authorizes a legal assistance fund for individuals and institutions which are suffering under the breakdown of rule of law. The legal fees for torture victims, independent media supporting free speech and other democratic institutions challenging election results or undemocratic laws can be paid from the funds.

It provides new authority for broadcasting of objective and reliable news to listeners in Zimbabwe.

It doubles next year's funding for democracy programs in Zimbabwe.

It expresses the sense of the Senate that the United States should support election observers to the parliamentary and presidential elections.

It prepares the United States to act decisively to support democracy. If the President certifies to Congress that rule of law has been restored, freedom of speech and association is respected,

free elections have been conducted, Zimbabwe is pursuing an equitable and legal land reform program, and the army is under civilian control, a series of programs to support democratic transition and aggressively promote economic recovery are initiated:

Suspended assistance is restored.

The Secretary of Treasury is directed to undertake a review of Zimbabwe's bilateral debt for the purposes of elimination of that debt to the greatest extent possible.

It directs the U.S. executive directors at the multilateral institutions to propose and support programs for the elimination of Zimbabwe's multilateral debt, and that those institutions initiate programs to support rapid economic recovery and the stabilization of the Zimbabwe dollar.

It allocates an initial US$16 million for alternative land reform programs under the Inception Phase of the Land Reform and Resettlement Program—including acquisition and resettlement costs.

It directs the establishment of a ''Southern Africa Finance Center'' in Zimbabwe which will serve as a joint office for the Export-Import Bank, the Overseas Private Investment Corporation, and the Trade Development Agency to pursue, facilitate and underwrite American private investment in Zimbabwe and the region.

Mr. President, the future stability of Zimbabwe is in the United States national interest. That future is dependent on the viability of the democratic legal and economic institutions in Zimbabwe which are currently under assault. It is clear that the United States must support those individuals and institutions, both during the current assaults and especially if they gain in elections.

This legislation offers clear support for democratic institutions and the rule of law now, and it provides aggressive future United States economic and institutional support for a transition to democracy, including real land reform based on equitable distribution and title to the land.

In the end, President Mugabe may simply dismiss all international and internal pressure. He has both the power to do so and increasingly seems to have the inclination, despite the costs. Even so, the United States cannot be intimidated or compromised. We must act decisively and quickly to support the democratic institutions upon which he is waging war. It is upon the fate of those institutions and individuals which so much of Africa's future depends.●

By Mr. BIDEN (for himself and Mrs. BOXER):

S. 2682. A bill to authorize the Broadcasting Board of Governors to make available to the Institute for Medial Development certain materials of the Voice of America; to the Committee on Foreign Relations.

LEGISLATION REGARDING THE VOICE OF AMERICA/AFRICA ARCHIVES

● Mr. BIDEN. Mr. President, today I am introducing, along with Senator BOXER, a bill to authorize the Broadcasting Board of Governors to make available to a private entity archival materials from the Africa Division of the Voice of America. This bill is also being introduced today in the other body by Representative CYNTHIA MCKINNEY, who initiated this proposal and asked me to introduce the Senate version of the bill.

The bill authorizes the Broadcasting Board of Governors to make available to the Institute for Media Development, a non-profit organization, archival materials of the Africa Division of the Voice of America (VOA). These materials, currently stored at the VOA in analog form, will be put into modern digital form and made available to scholars through the University of California, Los Angeles, and any other institution of higher learning approved by the Board.

I believe this is a very useful public-private partnership that will result in a positive benefit to scholars of African studies. As I am sure my colleagues are aware, the Voice of America is not broadcast in the United States. Programs which may be of interest to students and scholars of African politics, history, literature and foreign policy are often inaccessible. Moreover, there is no systematic means, much less the funds, to make such archival material available. And once the programs are aired, there is no guarantee that the analog tape on which they are recorded will be preserved. History may literally be lost, if news shows and interviews with prominent figures in various African countries are not preserved. Storing these recordings in a central archive should prove invaluable in years to come.

There will be no cost to the U.S. Government. The bill requires that the government be reimbursed for any expenses it incurs in making such materials available, and for the indemnification of the government in the event that the materials are used in a manner that violates the copyright laws of the United States. I would not anticipate that such copyright violations will occur, because the bill also makes clear that materials made available may be used only for academic and research purposes and may not be used for public or commercial broadcast purposes.

I am pleased that the chairman of the Committee on Foreign Relations has agreed to place this legislation on the agenda of the committee later this week. I hope the Committee, and then the full Senate, will give its approval.

I ask unanimous consent that the bill be printed at this point in the RECORD.

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

S. 2682

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AVAILABILITY OF CERTAIN MATERIALS OF THE VOICE OF AMERICA.

(a) AUTHORITY.—

(1) IN GENERAL.—Subject to the provisions of this Act, the Broadcasting Board of Governors (in this Act referred to as the ''Board'') is authorized to make available to the Institute for Media Development (in this Act referred to as the ''Institute''), at the request of the Institute, previously broadcast audio and video materials produced by the Africa Division of the Voice of America.

(2) DEPOSIT OF MATERIALS.—Upon the request of the Institute and the approval of the Board, materials made available under paragraph (1) may be deposited with the University of California, Los Angeles, or such other appropriate institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)) that is approved by the Board for such purpose.

(3) SUPERSEDES EXISTING LAW.—Materials made available under paragraph (1) may be provided notwithstanding section 501 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1461) and section 208 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (22 U.S.C. 1461–1a).

(b) LIMITATIONS.—

(1) AUTHORIZED PURPOSES.—Materials made available under this Act shall be used only for academic and research purposes and may not be used for public or commercial broadcast purposes.

(2) PRIOR AGREEMENT REQUIRED.—Before making available materials under subsection (a)(1), the Board shall enter into an agreement with the Institute providing for—

(A) reimbursement of the Board for any expenses involved in making such materials available;

(B) the establishment of guidelines by the Institute for the archiving and use of the materials to ensure that copyrighted works contained in those materials will not be used in a manner that would violate the copyright laws of the United States (including international copyright conventions to which the United States is a party);

(C) the indemnification of the United States by the Institute in the event that any use of the materials results in violation of the copyright laws of the United States (including international copyright conventions to which the United States is a party);

(D) the authority of the Board to terminate the agreement if the provisions of paragraph (1) are violated; and

(E) any other terms and conditions relating to the materials that the Board considers appropriate.

(c) CREDITING OF REIMBURSEMENTS TO BOARD APPROPRIATIONS ACCOUNT.—Any reimbursement of the Board under subsection (b) shall be deposited as an offsetting collection to the currently applicable appropriation account of the Board.

SEC. 2. TERMINATION OF AUTHORITY.

The authority provided under this Act shall cease to have effect on the date that is 5 years after the date of enactment of this Act.●

By Ms. SNOWE:

S. 2683. A bill to deauthorize a portion of the project for navigation, Kennebunk River, Maine; to the Committee on Environment and Public Works.

By Ms. SNOWE:

S. 2684. A bill to redesignate and reauthorize as anchorage certain portions of the project for navigation, Narraguagus River, Milbridge, Maine;

to the Committee on Environment and Public Works.

LEGISLATION REGARDING MAINE RIVER NAVIGATION PROJECTS

• Ms. SNOWE. Mr. President, I rise today to introduce two bills that are important to my State of Maine. The first piece of legislation pertains to the Narraguagus River dredge in Milbridge and will reauthorize former Corps project areas so as to design a portion of the 11-foot channel as anchorage. The town has provided the Corps with harbor use data that indicates that the 11-foot channel need only be dredged to 9 feet.

I have already requested $30,000 for FY01 Energy and Water appropriations to complete plans and specifications for a maintenance dredge of the 11-, 9- and 6-foot channel from Narraguagus Bay to the town landings and the 6-foot anchorages in Milbridge. The project serves the important commercial fishing and lobstering fleet, acquaculture operations, and fish packing facility, and a small recreational fleet.

The second bill concerns the Kennebunk River in Kennebunkport that deauthorizes a small elongated section of the Federal Navigation Channel. Not only would this allow much needed moorings from a nearby marina to remain where they have been positioned, but most importantly, the deauthorization would be the last piece needed so that the important dredge project can go forward.

This is a very active channel, Mr. President, and the dredge is extremely important for the safe passage not only for fishermen, but also for the tour boats, transporting up to 150 people, which go in and out of the busy harbor area throughout the spring, summer and fall months. Anyone who has been to the ''Port'' during the heavy tourist season can tell you it is a very popular attraction, particularly the tour boat trips that take tourists out past the breakwater for a view of the Maine coastline. The New England District Corps has given its approval for the deauthorization as has the town and the Joint River Commission.

I look forward to the speedy passage of these two non-controversial bills separately and to support their inclusion into legislation reauthorizing the Water Resources Development Act, or WRDA, for which passage is being considered in this Congress.•

By Mr. THURMOND:

S.J. Res. 46. A joint resolution commemorating the 225th birthday of the United States Army; to the Committee on the Judiciary.

COMMEMORATING JUNE 6, 2000, AS THE UNITED STATES ARMY'S 225TH BIRTHDAY

Mr. THURMOND. Mr. President, today on the anniversary of D–Day, June 6th, 1944, I have the great privilege to introduce a joint resolution honoring the United States Army on its 225th birthday.

Before there was a United States of America, there was an American Army, born on June 14th, 1775. On the town square of Cambridge, Massachusetts, a small group of American colonists came together to form an army, under the authority of the Continental Congress. This June 14th, we will look back over those 225 years and see clearly that the forming of the colonial Army was the prelude to the birth of our nation. As the Army's slogan for this commemoration says, it was the ''Birth of an army and the birth of freedom.''

Like Members of this body, to be a soldier is to believe in something other than what we can achieve for ourselves as individuals. I am proud to help celebrate the Army birthday, marking more than two centuries of selfless service to the United States of America. More than 42 million Americans have raised their right hands to take an oath, both in times of crisis and in times of peace.

As I introduce this resolution, I ask that each of you please join me next month to extend the heartfelt thanks of this Congress to each and every soldier for their outstanding service to our nation!

Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

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

Mr. DURBIN. Mr. President, I want to take a moment to note that Senator THURMOND, who took the floor and introduced a joint resolution commending our Armed Forces, is someone who should also be commended personally today. This is the 56th anniversary of Senator THURMOND's landing in the D–Day invasion.

As we consider the construction of the museum in New Orleans, LA, to pay tribute to those soldiers and all those involved in the D–Day invasion, we should take a moment on the floor of the Senate to pay tribute to our colleague from South Carolina, who had such a distinguished career in the military. It is almost inconceivable to think he was there as a volunteer to fly a glider into the D–Day invasion—probably one of the more dangerous assignments of the men and women in uniform who made that invasion such a success. The fact that he is here today is a tribute to not only his longevity, but his continued dedication to this country.

On behalf of a generation—frankly, I wasn't born when that occurred but have been the beneficiary of that victory—I say to my colleague from South Carolina that we are in deepest debt to him for his personal service to this country, and for his courage in participating in that D–Day invasion. I commend not only him but also all of those who made that invasion such a success, and hope that on this 56th anniversary all of the people involved, and their families who waited expectantly to hear the results of that invasion, will be remembered in the thoughts and prayers of every American family.

Mr. THURMOND. Mr. President, I thank the Senator for his kind words. I would do it again, if necessary.

Mr. DURBIN. There is no doubt in the mind of any Member of the Senate that Senator THURMOND would volunteer again, as he just promised that he would. I thank the Senator again.

S.J. RES. 46

Whereas on June 14, 1775, the Second Continental Congress, representing the citizens of 13 American colonies, authorized the establishment of the Continental Army;

Whereas the collective expression of the pursuit of personal freedom that caused the authorization and organization of the United States Army led to our Nation's Declaration of Independence and the codification of our basic principles and values in the Constitution of the United States;

Whereas for the past 225 years, our Army's central purpose has been to fight and win wars that were typically fought and won on distant, foreign battlefields, while at home, the Army provided for the Nation's security;

Whereas whatever the mission, the Nation turns to its Army for decisive victory, regardless of whether those are measured in the defeat of foreign Army forces or the timely delivery of humanitarian assistance at home or abroad;

Whereas the 172 battle streamers carried on the Army's flag are testament to the valor, commitment, and sacrifice of those who have served and fought under its banner;

Whereas Valley Forge, New Orleans, Mexico City, Gettysburg, Verdun, Bataan, Normandy, Pusan, Ia Drang Valley, Grenada, Panama, and Kuwait are but a few of the places where American soldiers have won extraordinary distinction and respect for our Nation and our Army;

Whereas ''Duty, Honor, Country'' are more than mere words, they are the creed by which the American soldier lives and serves;

Whereas while no one can predict the cause, location, or magnitude of future battles, there is one certainty — American soldiers of character, selflessly serving the Nation, will continue to be the credentials of our Army;

Whereas the Army is prepared to answer the Nation's call, and such calls have been increasing in number and disparity in recent years;

Whereas the threats are less distinct and less predictable than the past, but more complex and just as real and dangerous;

Whereas our Army, the world's most capable and respected ground force, is in the midst of an unparalleled transformation as it prepares for the new challenges of the next century and a different world;

Whereas future forces will be prepared to conduct quick, decisive, highly sophisticated operations anywhere, anytime; and

Whereas our Army will be ready to fight and win our Nation's call to service at home and abroad: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress—

(1) recognizes the valor, commitment, and sacrifice that American soldiers have made throughout the history of the Nation;

(2) commends the United States Army and American soldiers for 225 years of selfless service; and

(3) calls upon the President to issue a proclamation recognizing the 225th birthday of the United States Army and calling upon the people of the United States to observe that anniversary with appropriate ceremonies and activities.

By Mr. SMITH of New Hampshire:

S.J. Res. 47. A joint resolution disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to Vietnam; to the Committee on Finance.

LEGISLATION REGARDING THE TRADE ACT OF 1974 WITH RESPECT TO VIETNAM

• Mr. SMITH of New Hampshire. Mr. President, I rise to introduce a resolution concerning our trade relationship with the Socialist Republic of Vietnam. On June 2, 2000, the President of the United States formally recommended a waiver of the application of the Trade Act of 1974 with respect to Vietnam. I am deeply troubled by the President's decision to grant this waiver in light of Vietnam's continuing poor record on human rights. One need only look at the 1999 U.S. State Department report on human rights practices in Vietnam to recognize that the Vietnamese Government once again has failed to meet recognized standards with respect to such fundamental rights as freedom of emigration, freedom of speech and freedom of religion, to name only a few, which are so often taken for granted in our great country.

I would like to quote from this revealing report to emphasize my point. The State Department declared the following regarding Vietnam: ''The Government's human rights record remained poor; . . . and serious problems remain . . . The Government continued to repress basic political and some religious freedoms and to commit numerous abuses . . . the Government arbitrarily arrested and detained citizens, including detention for peaceful expression of political and religious views . . . The Government significantly restricts freedom of speech, the press, assembly, and association . . . The Government restricts freedom of religion and significantly restricts the operation of religious organizations other than those entities approved by the State . . . Citizens' access to passports frequently was constrained by factors outside the law, such as bribery and corruption. Refugee and immigrant visa applicants sometimes encountered local officials who arbitrarily delayed or denied passports based on personal animosities or on the officials' perception that an applicant did not meet program criteria or in order to extort a bribe.'' The list of violations outlined by our State Department goes on, but I will stop here.

Mr. President, the resolution I have introduced keeps faith with the original Congressional intent of the Trade Act of 1974. Our dedication to fundamental human rights must be resolute, even when it means one powerful interest group or another does not get its way. Unfortunately, the President's decision to grant this waiver once again undermines the United States' longstanding dedication to human rights and sends a message to the rest of the world that the United States is more interested in profits over principles. Finally, rewarding Communist Vietnam by allowing U.S. tax dollars to subsidize business operations in Hanoi, while at the same time their leaders hold back key POW/MIA records from the war, is a disgrace to the men and women who valiantly served our country and were honored just last week on Memorial Day. This Presidential waiver should be overturned by the Congress, as is our right under the law.•

ADDITIONAL COSPONSORS

S. 459

At the request of Mr. BAUCUS, his name was added as a cosponsor of S. 459, a bill to amend the Internal Revenue Code of 1986 to increase the State ceiling on private activity bonds.

S. 620

At the request of Mr. SARBANES, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 620, a bill to grant a Federal charter to Korean War Veterans Association, Incorporated, and for other purposes.

S. 656

At the request of Mr. REED, the names of the Senator from Rhode Island (Mr. L. CHAFEE) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 656, a bill to provide for the adjustment of status of certain nationals of Liberia to that of lawful permanent residence.

S. 784

At the request of Mr. ROCKEFELLER, the names of the Senator from Indiana (Mr. LUGAR) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 784, a bill to establish a demonstration project to study and provide coverage of routine patient care costs for medicare beneficiaries with cancer who are enrolled in an approved clinical trial program.

S. 818

At the request of Mr. DEWINE, the name of the Senator from South Carolina (Mr. THURMOND) was added as a cosponsor of S. 818, a bill to require the Secretary of Health and Human Services to conduct a study of the mortality and adverse outcome rates of medicare patients related to the provision of anesthesia services.

S. 1016

At the request of Mr. DEWINE, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 1016, a bill to provide collective bargaining for rights for public safety officers employed by States or their political subdivisions.

S. 1020

At the request of Mr. GRASSLEY, the name of the Senator from Minnesota (Mr. GRAMS) was added as a cosponsor 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. 1110

At the request of Mr. LOTT, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1110, a bill to amend the Public Health Service Act to establish the National Institute of Biomedical Imaging and Engineering.

S. 1159

At the request of Mr. STEVENS, the names of the Senator from New Mexico (Mr. DOMENICI), the Senator from Georgia (Mr. CLELAND), the Senator from Maryland (Ms. MIKULSKI), and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of S. 1159, a bill to provide grants and contracts to local educational agencies to initiate, expand, and improve physical education programs for all kindergarten through 12th grade students.

S. 1227

At the request of Mr. L. CHAFEE, the name of the Senator from Minnesota (Mr. WELLSTONE) was added as a cosponsor of S. 1227, a bill to amend title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to provide States with the option to allow legal immigrant pregnant women and children to be eligible for medical assistance under the medical program, and for other purposes.

S. 1446

At the request of Mr. LOTT, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 1446, a bill to amend the Internal Revenue Code of 1986 to allow an additional advance refunding of bonds originally issued to finance governmental facilities used for essential governmental functions.

S. 1487

At the request of Mr. AKAKA, the names of the Senator from Massachusetts (Mr. KERRY), the Senator from Idaho (Mr. CRAPO), and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 1487, a bill to provide for excellence in economic education, and for other purposes.

S. 1709

At the request of Mr. KYL, the name of the Senator from Texas (Mr. GRAMM) was added as a cosponsor of S. 1709, a bill to provide Federal reimbursement for indirect costs relating to the incarceration of illegal aliens and for emergency health services furnished to undocumented aliens.

S. 1716

At the request of Mr. TORRICELLI, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1716, a bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to require local educational agencies and schools to implement integrated pest management systems to minimize the use of pesticides in schools and to provide parents, guardians, and employees with notice of the use of pesticides in schools, and for other purposes.

S. 1717

At the request of Mr. BOND, the names of the Senator from Missouri (Mr. ASHCROFT) and the Senator from