

been promised on the table. We need this plan so we can assure the consumers of America, particularly our more vulnerable consumers, the senior citizens, and particularly the most vulnerable senior citizens, those who are living alone, that we have a supply of energy for purchase at any cost. Hopefully the administration will come up with a plan that has a supply of energy that they can afford to pay for, and particularly a plan that doesn't require our senior citizens to choose between energy and food.

Also, I think it begs discussion of a bigger issue; that is, where has this administration been for the last 7 years on developing energy? For the most part, we have had a badly damaged oil exploration industry, and we have had workers who work in that industry finding jobs elsewhere. So even if that industry were to perk up and find places to drill and an incentive to drill, there are not enough workers to man the rigs because this administration has had a policy of deemphasizing domestic production.

So much of the land in the United States and our continental shelf, has been taken out of bounds for drilling, and in the case of natural gas, where two-thirds of the known supplies are available, there is no drilling where we know it is available under public lands.

I know of the concern for the environment. It seems to me we can have a balance between environmental policy and the domestic production of energy. We can have that because it is possible. We can have that because it is a necessity. It is a necessity because we cannot be held hostage by OPEC nations, and we can't be held hostage by Arab oil-producing nations and their leaders who want to put political pressure on the United States when it comes to a peace agreement involving Palestine and Israel, and all those issues that are acquainted with it.

We do not have to have military action in the Middle East now as we did at the time of the Persian Gulf war. But if we need to protect our oil, the flow of oil from the Middle East to the United States, we would not be able to put together that armada that we had 9 years ago to stop Saddam Hussein, what he was doing there, and what that caused in the energy situations in this country. That was the last time the energy prices went so high.

So we need from this administration a plan of what they are going to do to make sure there are not shortages in this country, what we can do to get the price down. We need that very soon. That is what my amendment will call for that I will offer this evening. We also need a policy of this administration to encourage the domestic production of oil and natural gas that we have available here so we aren't dependent upon OPEC for our sources of oil and natural gas.

I hope some of these issues will be discussed in the coming political campaign. I think on our side of the aisle,

the Republican Party has a candidate who is well aware of the shortcomings of this administration on energy policy and will take steps, including fossil fuel availability, as well as renewable fuel availability to accomplish those goals.

While Governor Bush was campaigning in my State of Iowa during the first-in-the-nation caucuses that we had, I had the opportunity to travel throughout Iowa over the course of 4 or 5 days that I was helping him with his campaign. I had an opportunity to discuss some of these very tough issues and the direction that a new administration could take on renewable fuels such as ethanol, for example, renewable fuel incentives such as wind energy and biomass and tax incentives that are necessary for them to get rapidly started and a balance between renewable fuels and nonrenewable fuels.

I am satisfied that not only does the Governor of Texas come from a State where there is an understanding of the importance of fossil fuels—petroleum, natural gas, et cetera—but there is also an understanding that renewable sources of energy are very much an important part of the equation to make sure that the United States is not held hostage to OPEC nations as we see the President of the United States and the Energy Secretary begging OPEC to pump more oil.

I think with a new voice for energy independence in the White House, we will not have this very embarrassing situation that we find ourselves in, not just for the first time, but we found ourselves in this position in March, we found ourselves in this position in June when the leaders of this administration were hat in hand dealing with an OPEC organization controlling prices and controlling production, but if they were CEOs of oil companies in this country, doing the same sort of price fixing, they would be in prison.

What a spectacle of the President of the United States and the Energy Secretary dealing with these OPEC nations. That is an embarrassing situation. More important than just being embarrassing, it signals a national defense weakness of our country which must be based upon having certain access to energy. If we are going to be strong militarily, we won't have this embarrassment when a new face gets in the White House, if that new face is a person that is committed to the domestic production of energy and committed to renewable sources of energy, and committed to making a point with OPEC that we don't intend to be dependent upon these nations holding us up, particularly after the American taxpayer gave \$415 million of foreign aid to OPEC nations for them to use to buy the rope to strangle the American consumer economically and hurt our whole economy in the process. That is exactly what OPEC is doing when the price of our energy, the price of our fuel oil, goes up 30 percent.

I hope we have a new day. I want to have a new day. I hope for a new day.

A lot of that is what the people decide in the coming election.

I yield the floor.

#### SENIOR SAFETY ACT

Mr. LEAHY. Mr. President, I rise today to encourage passage of the Seniors Safety Act, legislation I introduced along with Senators DASCHLE, KENNEDY, and TORRICELLI in March 1999. Eight additional Senators have signed on as cosponsors since then. Despite this broad support, however, the majority has declined even to hold hearings on this bill to fight crime against America's senior citizens. As Grandparents' Day approaches this Sunday, and as this Congress comes to a close, I urge the majority to join with us in our efforts to improve the safety and security of older Americans.

During the 1990s, while overall crime rates dropped throughout the nation, the rate of crime against seniors remained constant. In addition to the increased vulnerability of some seniors to violent crime, older Americans are increasingly targeted by swindlers looking to take advantage of them through telemarketing schemes, pension fraud, and health care fraud. We must strengthen the hand of law enforcement to combat those criminals who plunder the savings that older Americans have worked their lifetimes to earn. The Seniors Safety Act tries to do exactly that, through a comprehensive package of proposals to establish new protections and increase penalties for a wide variety of crimes against seniors.

First, this bill provides additional protections to nursing home residents. Nursing homes provide an important service for our seniors—indeed, more than 40 percent of Americans turning 65 this year will need nursing home care at some point in their lives. Many nursing homes do a wonderful job with a very difficult task—this legislation simply looks to protect seniors and their families by isolating the bad providers in operation. It does this by giving Federal law enforcement the authority to investigate and prosecute operators of those nursing homes that engage in a pattern of health and safety violations. This authority is all the more important given the study prepared by the Department of Health and Human Services and reported this summer in the New York Times showing that 54 percent of American nursing homes fail to meet the Department's "proposed minimum standard" for patient care. The study also showed that 92 percent of nursing homes have less staff than necessary to provide optimal care.

Second, the Seniors Safety Act helps protect seniors from telemarketing fraud, which costs billions of dollars every year. My bill would give the Attorney General the authority to block or terminate telephone service where that service is being used to defraud seniors. If someone takes your money

at gunpoint, the law says we can take away their gun. If someone uses their phone to take away your money, the law should allow us to protect other victims by taking their phone away. In addition, my proposal would establish a Better Business Bureau-style clearinghouse that would keep track of complaints made about telemarketing companies. With a simple phone call, seniors could find out whether the company trying to sell to them over the phone or over the Internet has been the subject of complaints or been convicted of fraud.

Third, the Seniors Safety Act punishes pension fraud. Seniors who have worked hard for years should not have to worry that their hard-earned retirement savings will not be there when they need them. My bill would create new criminal and civil penalties for those who defraud pension plans, and increase the penalties for bribery and graft in connection with employee benefit plans.

Fourth and finally, the Seniors Safety Act strengthens law enforcement's ability to fight health care fraud. A recent study by the National Institute for Justice reports that many health care fraud schemes "deliberately target vulnerable populations, such as the elderly or Alzheimer's patients, who are less willing or able to complain or alert law enforcement." This legislation gives law enforcement the additional investigatory tools it needs to uncover, investigate, and prosecute health care offense in both criminal and civil proceedings. It also protests whistle-blowers who alert law enforcement officers to examples of health care fraud.

This legislation is intended to focus attention on the particular criminal activities that victimize seniors the most. Congress should act on this bill now—when it comes to protecting our seniors, we have no time to waste. I am eager to work with the majority on this bill, and would be happy to consider any constructive improvements. Protecting seniors should be a bipartisan cause, and I want to pursue it in a bipartisan way. So I urge my colleagues on the other side of the aisle to look at this bill and work with us to improve the security of our seniors.

#### MISSILE DEFENSE

Mr. KYL. Mr. President, as you know, President Clinton recently announced that he would further delay deployment of a national missile defense system to protect the United States. Regrettably, although the President's decision was disappointing, it was not surprising given the track record of the Clinton-Gore administration. In fact, when one looks back over the past 8 years it is clear that this latest decision is merely the capstone to a string of poor decisions by this administration that have left us defenseless against a growing threat to America's security.

Time after time, the administration has taken steps to delay development of a system to defend against a missile threat that the Rumsfeld Commission, our intelligence agencies, and the Defense Department have said is increasingly serious. The administration has failed to pursue development of promising missile defense technologies, such as sea- and space-based defenses, has underfunded the limited programs it has authorized, and has pursued misguided arms control policies.

This week, Senator THAD COCHRAN released a report entitled "Stubborn Things" that chronicles the record of neglect by this administration toward missile defense. The report contains ten chapters, corresponding to each year over the past decade. Each chapter includes a chronological recitation of events relevant to ballistic missile defense, including the progression of the missile threat facing the United States, developments in arms control negotiations, as well as data on the level of funding devoted to these vital programs.

Senator COCHRAN named the report after a quote from John Adams, who said in 1770:

Facts are stubborn things; and whatever may be our wishes, our inclinations, or the dictates of our passions, they cannot alter the state of facts and evidence.

True to the spirit of John Adams' admonition, Senator COCHRAN's report simply lays out fact after fact about what has transpired in the area of missile defense over the past decade. It is an excellent compilation of the events and decisions that have led us to our current situation.

For example, after the President announced that he would not authorize deployment of a national missile defense system, administration officials said the President had reached this decision in part because development of a booster for the ground-based system has lagged. But as Senator COCHRAN's report points out, this is a legacy of one of his administration's first decisions after taking office. In February 1993, the administration returned unopened proposals by three teams of companies that had bid, at the request of the Defense Department, to develop a ground-based national missile defense interceptor.

The track record of the Clinton-Gore administration on missile defense is clear: they were slow to recognize the threat, failed to pursue the most promising forms of defense, underfunded the limited programs they half-heartedly pursued, and have failed to exercise leadership in addressing the concerns of our allies and other nations like Russia.

Senator COCHRAN and his able staff, Mitch Kugler, Dennis Ward, Dennis McDowell, Michael Loesch, Eric Desautels, Brad Sweet, and Julie Sander, are to be commended for producing this excellent report. By presenting the facts without rhetoric or spin they have significantly advanced the na-

tional debate on this important issue. I highly commend the report to my colleagues and to members of the public interested in this subject.

#### CELEBRATING CALIFORNIA'S DIVERSITY

Mrs. BOXER. Mr. President, this Saturday will mark the 150th anniversary of California's admission to the Union. As the people of our State prepare for this Sesquicentennial celebration, I want to celebrate California's most distinctive characteristic: its tremendous diversity.

California is "a nation unto itself" with great mountains and forests, vast deserts and fertile valleys, rolling hills and rugged coastlines. Within its borders can be found virtually every climate, every crop, every landform on earth.

But our greatest diversity—and our greatest asset—is the people of California.

California's diversity was apparent from the beginning. When the first Spanish pioneers crossed the Great Desert, they met Native Americans from more than 300 tribal and language groups. By the time Mexico and California gained independence from Spain, Alta California was home to many Europeans, Asians, and Pacific Islanders as well as Hispanics, North Americans, and Native Americans.

In 1849, when California held its constitutional convention, its 48 delegates included men from England, Scotland, Ireland, France, Switzerland, Mexico, and Spain. Thirteen of the delegates had been in California for less than a year; and William M. Gwin, who later became one of our first two U.S. Senators, had been here less than three months. Seven delegates had been born in California: their names were Vallejo, Carrillo, Pico, Dominguez, Rodriguez, Covarrubias, another Pico, and de la Guerra.

The Gold Rush brought new waves of pioneers from all over the globe. In their wake came workers from China, who built the great railroads, and Japanese farmers who fed the fortune hunters and made fortunes of their own.

During the Great Depression, thousands of internal immigrants fled the Dust Bowls of Texas and Oklahoma for greener pastures in California.

During World War II, thousands of African Americans migrated from the rural South to work in California's shipyards and other defense-related industries.

At the war's end, California had a wave of settlers from the U.S. Armed Forces: men and women who had shipped out of our beautiful ports and returned to stay when the war was over.

In recent years, new immigrants from Asia and Latin America have added to California's rich cultural mix, making our state the crossroads of the Pacific Rim and the new economy.