Mr. BIDEN. I now ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard.

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

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mr. GORTON. Mr. President, what is the business before the Senate?

The PRESIDING OFFICER. S. 2045.

Mr. GORTON. Mr. President, I ask unanimous consent to speak as in morning business, using such time as I may consume.

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

PIPELINE SAFETY IMPROVEMENT ACT OF 2000

Mr. GORTON. Mr. President, earlier this afternoon, the distinguished chairman of the Commerce Committee, Senator MCCAIN, and my distinguished colleague, Senator MURRAY, and I believe others on both sides of the partisan divide, came to the floor to speak about the Pipeline Safety Improvement Act of 2000. That bill was passed by the Senate unanimously. It resulted from a broad, bipartisan coalition that worked over a period of more than 1 year here in the Senate. It was sparked by my colleague and myself as a result of a terrible tragedy—an explosion in a gasoline pipeline in Bellingham, WA, that snuffed out the lives of three wonderful young men, destroyed a magnificent park, and left physical damage that will be years in repair.

No individual involved in this debate got every single element in that bill that he or she wished. Liquid and natural gas pipelines are vitally important to the Nation and the transportation of fuels.

Some thought renewal of the act would be somewhat weaker than the present statutes. Others, myself included, wanted considerable strengthening, particularly with respect to local input into the way in which such pipelines are managed in communities near homes, schools, parks, and the like.

The net result, however, is a pipeline safety renewal that is a considerable and significant improvement over the present act. There will be more notice. There will be more severe penalties. There will be greater opportunities for local comment and local participation.

But in spite of all of this work, in spite of the passage of this bill, little is happening in the House of Representatives.

The Bellingham Herald, the daily newspaper in the community subjected to this tragedy, pointed out just a little bit more than a week ago that the passage of the Senate bill means nothing if it is not passed by the House.

Almost immediately, however, after the passage of the Senate bill, a number of Members of the House of Representatives began to place roadblocks in the way of the passage of the Senate bill, claiming it wasn't strong enough and it didn't do this, or it didn't do that, or it didn't do something else.

The House of Representatives has had exactly the same opportunity to deal with this issue as the Senate.

After a brief hearing a month or so after the accident took place, literally nothing at all took place in the House of Representatives. Many of us here were led to believe that if the Senate bill were passed in its ultimate form, it would be taken up and easily passed in the House of Representatives—until these last-minute critics began to point out what they consider to be the facts.

Talk is cheap. But talk doesn't create safer pipelines in the United States. Those who oppose this bill have proposed nothing with the remotest chance of passage by the House of Representatives, much less the Senate of the United States.

We have only a short time left. Those who criticize the bill as being too weak would do far better to pass the reforms that we have and attempt to build on them later than to destroy a bill which, if it does not pass within the next few weeks, will have to begin its process all over again next year, with highly questionable prospects.

Believing that accomplishment is better than demagoguery and that a bill beats oratory any day, I come here to join with both Republican and Democratic colleagues to plead with the Members of the House of Representatives to take up the Senate bill, to debate it to the extent the House wishes to do so, and to pass it so we can get it signed by the President and enacted—which, incidentally, I am confident would take place if the House were to pass the bill.

PRESCRIPTION DRUGS

Mr. GORTON. Mr. President, I wish to speak on a subject in a happy vein.

Yesterday, the President sent a letter to the Speaker and to our majority leader on the subject of prescription drugs. In that letter he said:

> I urge you to send me the Senate legislation to let wholesalers and pharmacists bring affordable prescription drugs to the neighborhoods where our seniors live.

That proposal was passed by the Senate a couple of months ago as an amendment to the appropriations bill for the Department of Agriculture. It was sponsored by my colleague from Vermont, Senator JEFFORDS, and by Senator DORGAN of North Dakota on the other side of the aisle, others, and myself. It is one of two or three ways that I have determined to be appropriate to reduce the cost of prescription drugs—not just to some Americans, not just to seniors, not just to low-income seniors, but to all Americans—by ending, or at least arresting, the outrageous discrimination that is being practiced by American pharmaceutical manufacturing concerns that are benefiting from American research and development aspects, benefiting from the research paid for by the people of the United States through the National Institutes of Health, but still discriminating against American purchasers by charging them far more—sometimes more than twice as much—for prescription drugs than they do for the identical prescription drugs in Canada, in the United Kingdom, in Germany, New Mexico, and elsewhere around the world.

The proposal by Senator JEFFORDS and others to which the President referred at least allows our pharmacies and drugstores to purchase these drugs in Canada or elsewhere when they can find identical prescription drugs at lower prices than the American manufacturers will sell them for to these American pharmacists, and to reimport them into the United States and pass those savings on to our American citizens.

I don't often find myself in agreement with President Clinton, but I do in this case. I believe he is entirely right to urge the Speaker and the majority leader to include this proposal in the appropriations bill for the Department of Agriculture or, for that matter, any other bill going through the Senate and the House of Representatives, so that we can take this major step forward to slow down, at least, this unjustified discrimination in the cost of prescription drugs to all Americans.

In this case, I join with the President in asking both the Speaker and our majority leader to use their best efforts, as I believe they are doing, to see to it that this overdue relief is in fact offered.

MICROSOFT APPEAL

Mr. GORTON. Mr. President, the Supreme Court, with eight of nine Justices concurring, has just agreed with Microsoft that the notorious prosecution of Microsoft by the Department of Justice should go through the normal process of appeal and should be determined and should be examined by the District of Columbia Circuit Court of Appeals before any possible or potential appeal to the Supreme Court of the United States.

This was a correct decision for a number of reasons, not the least of which is the complexity of the case and the length of the record which, under almost any set of circumstances, would go through the normal appeals process.

The district court judge who decided the case and who has determined, I think entirely erroneously, that Microsoft must be broken up, wished to skip the District of Columbia Circuit Court of Appeals, stating that this matter was of such importance that it should go directly to the Supreme Court. The real motivation of the lower court, I suspect, however, was the fact that one of the vital elements of the district court's decision is directly contradictory to a decision of just about 2 years

ago by the District of Columbia Circuit Court of Appeals—the integration of a browser/Microsoft operating system, a major step forward in technology and convenience for all of the purchasers of that system.

It is easy to understand why the district court judge didn't want to go back to a higher court that he had directly defied, but that is no justifiable reason for skipping a District of Columbia Circuit Court of Appeals, and the Supreme Court, I am delighted to say, agrees with that proposition.

This matter is now on its normal way through the appeals process, a process that I am confident will justify, in whole or in major part, the Microsoft Corporation, but only at great expense and at a great expenditure of time.

Once again, I call on this administration or on its successor to see the error of its ways in bringing this lawsuit in the first place. It has been damaging to innovation in the most rapidly changing technology in our society, one that has changed all of our lives more profoundly, I suspect, than any other in the course of our lifetimes. It is immensely damaging to our international competitiveness, encouraging, as it does, similar lawsuits by countries around the world that would love to slow down Microsoft's competitive innovation so they could catch up.

This is a field about which 10 or 15 years ago we despaired. Today, we are clearly the world leaders. For our own Government to be hobbling our own competitiveness is particularly perverse. It opens up the proposition that innovations in software will have to be approved by Justice Department lawyers before they can be offered to consumers in a way that seems to me to be perverse.

It doesn't take a great deal of courage to say that I trust Microsoft software developers in their own field more than I do Justice Department lawyers. At best, this was a private lawsuit, effectively brought on behalf of Microsoft competitors but being paid for by the taxpayers of the United States, where it should have, had it gone to court at all, been just that—a private lawsuit in which the Federal Government had little or no interest.

So, good news from the Supreme Court but news that can be greatly improved by a new administration's fresh look and the dismissal of its case in its entirety.

MORNING BUSINESS

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

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

ACKNOWLEDGMENT OF SENATOR PAT ROBERTS' 100TH PRESIDING HOUR

Mr. LOTT. Mr. President, today, I have the pleasure to announce that Senator PAT ROBERTS has achieved the 100 hour mark as Presiding Officer. In doing so, Senator ROBERTS has earned his second Gold Gavel Award.

Since the 1960's, the Senate has recognized those dedicated Members who preside over the Senate for 100 hours with the golden gavel. This award continues to represent our appreciation for the time these dedicated Senators contribute to presiding over the U.S. Senate—a privileged and important duty.

On behalf of the Senate, I extend our sincere appreciation to Senator ROBERTS and his diligent staff for their efforts and commitment to presiding duties during the 106th Congress.

INTERIOR APPROPRIATIONS

Ms. LANDRIEU. Mr. President, I rise to call the attention of this body to some very important negotiations that are underway.

We have debated many important subjects in this Congress as it comes to a close. Some of those larger subjects have been attempts to create a prescription drug benefit for the Nation, how should we go about doing that. We have had a long and intense debate on education. We have had debates on the privacy issue, on bankruptcy reform.

One of the debates in which we have engaged that has captured the attention of many people around the Nation—Governors and mayors, local elected officials, chambers of commerce, outdoor enthusiasts, environmentalists across the board—is our debate about how we should allocate a small portion of this surplus; what is the proper way to allocate that to preserve and enhance the environment of our Nation.

As we begin this century, this is a debate worth having because if we make the wrong decision, it will set us on a path where we will not be happy to end up. We need to make a good decision now. We are in the very crux of making that decision, as appropriators on both sides debate the final outcome of this year's Interior appropriations bill.

I urge Senators to pay attention, as carefully as they can, to the ongoing debates on how to allocate this funding.

On the one hand, there is a group saying: Let's just do more of the same. As it comes to our environment, we don't need to do anything differently. Let's just do more of the same. Let's just give a little more money to some Federal agencies to allocate the funding, and let's just come every year and decide year in and year out if we want to or if we don't, and how that money should be allocated.

There is a group of us called Team CARA, representing the Conservation and Reinvestment Act, which has been negotiating since the beginning of this Congress for a better way—a way that will bring more money to States on a guaranteed basis, money that Governors and mayors and local elected officials can count on—a revenue sharing bill, if you will, for the environment. It is something that will turn in a direction that will set us on a new and bold and exciting course.

I thank the President for his tremendous statements in the last couple of days urging Congress to move in this direction. He is urging us to do everything we can to make CARA—the Conservation and Reinvestment Act—the model. For the RECORD, I will submit something in which some States would be interested. I will be handing out this form later today.

For instance, if we stick with the old method, Colorado would receive $3.6 million. It is a beautiful State with wonderful environmental needs. They would get $3.6 million. Under CARA, if it is passed, Colorado could receive $46 million a year, and the Governor and local elected officials would have input into how it was spent.

Let's take Georgia. Under this bill, this year they would get a measly $500,000. Under CARA, they would be guaranteed a minimum of $32 million a year.

Let's take Kentucky. Again, they would get a measly $500,000 in this year's environmental bill. Under CARA, they would get a guarantee of $15 million a year for the preservation of open spaces, for wildlife conservation, and for the expansion of our parks and recreation.

Let's take Minnesota. Minnesota gets nothing in the bill being negotiated. Under CARA, they would get $29 million a year.

I will be submitting the details because I am here to say let's allow the best proposal to win in this debate. Let us fight it on its merits. Let us discuss the benefits of CARA. These are some of the benefits that I am outlining.

New Jersey is one of our most populated States—the Garden State, a State that has just levied on its people a billion dollar bond issue to preserve open spaces. People in New Jersey feel strongly about this. Under the old way, the way the negotiators are carving this up, they get a measly $875,000. Under CARA, they would receive $40 million a year.

Let's take New York, another large State. They would get $2.8 million in the bill being negotiated, but if we stick to our guns and fight hard for CARA, New York could get $17 million a year. Most certainly, the population deserves those kinds of numbers.

Finally, Washington State is a beautiful State, one that has a history of leading us in the environmental area. Washington gets fairly well treated in this bill with $12.7 million. Under CARA, if we hold true to the principles, Washington State could get $47 million a year. That is a big difference for the people of Washington State—from $12.7 million to $47 million. I could go on.

Under CARA, we have a guarantee. Under the current negotiations, the same that has gone on for the last 25 years, there is no guarantee. I am saying that under CARA we can have full