

that I be in North Dakota for a conference I cosponsored, Women's Health-Women's Lives, to join Secretary of Energy Richardson for meetings on a range of energy issues, and for a meeting with the Governor and other state leaders about the state's water resources.

Had I been present for rollcall vote No. 32, to table the Jeffords amendment to S. 280, the Ed-Flex legislation, I would have voted "nay." On rollcall vote No. 33, to table the Gramm amendment to prohibit implementation of the "Know Your Customer" banking regulations, I would have voted "nay" had I been present.

Mr. ROCKEFELLER. Mr. President, on Tuesday, March 9, 1999, I missed the second cloture vote on S. 280, the Education Flexibility Act.

I fully intended to be in the chamber for the vote yesterday, and had I been there I would have voted against cloture. While I support the concept of flexibility for education, I also believe that Democrats deserve right to offer education amendments on key priorities such as reducing class-size, providing after-school care, addressing the concern of crumbling schools, and a few other major priorities.

Senate Democrats have offered in good faith to accept time agreements and limited debates on our education priorities.

It is disappointing that instead of voting on education priorities for American students, teachers, and parents, we are debating procedural motions and closure petitions. Instead of using the time wisely to discuss the major education issues facing our schools, we are facing gridlock on procedure. That is not what the American people sent us to the Senate to do. We are willing to have our debate and cast our votes to reduce class sizes, to fix crumbling schools and to provide after-school care for children that need it to learn and be safe while parents work. If our Democratic amendments prevail, we strengthen the Education Flexibility Act and help schools. If our amendments do not get a majority, then we had the opportunity to debate and we can move forward on the underlying bipartisan legislation.

I wish I had been here on Tuesday to participate. Unfortunately, I got trapped in Charleston, West Virginia when the Ronald Reagan National Airport closed at 11 a.m. on March 9, 1999 due to the snow storm in Washington, DC. I had been in Charleston, West Virginia to vote in the mayoral election and to participate in the United Airlines announcement of two Mileage Plus Service Centers in my state which will create 600 new jobs. The new centers will be located in Charleston and Huntington. This is exciting news for my state, and I have been in touch with officials for months about this economic opportunity. At the time, I felt that I could personally vote in the local election, attend this exciting announcement and return in plenty of

time for the 2:45 vote on the Senate floor. Due to the snow storm, I missed the vote.

#### MORNING BUSINESS

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business with Members permitted to speak for up to 10 minutes each.

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

#### THE EDUCATION FLEXIBILITY PARTNERSHIP ACT

Mr. JEFFORDS. Mr. President, I will use a little of the morning business time myself to just bring everyone up to date as to where we are at this point. This concludes the debate time for today. Tomorrow there will be, I believe, 1 hour evenly divided for Members to talk on the amendment process.

The purpose of that time will be to try to make sure everybody understands the amendments, because we have a number of amendments. They seem low in number—there are about eight or nine amendments—but some of those are complicated by combinations of amendments. So I urge all of our Members to make sure that they understand the amendments.

Because this is an important piece of legislation, which I want to get through, and the leader does also, we will be using probably a tabling situation for many of the amendments. I want to explain why that is. That is because most of these amendments should be on the Elementary and Secondary Education Act reauthorization which is being worked on at this time. That is a very important bill. It is a \$15 billion bill. It has most of the Federal programs. And we will be looking at it very closely to determine whether there should be a paring down of programs, how effective the various agencies and departments have been, and we will be spending the time of deliberation to better utilize and to make sure we can maximize our improvement.

As I said earlier today, the evidence is very clear that we have made very little improvement in our schools over the last 15 years, although we have been trying. Thus, it is important we take a close look at the Department of Education to see that those funds are being well spent.

#### PREVENTING HEARING LOSS

Mr. DASCHLE. Mr. President, today I bring to the attention of my colleagues an article that recently appeared in *The Washington Post*, "Hearing Loss Touches a Younger Generation." This article raises important issues related to hearing loss and gives us practical advice for protecting our hearing.

Hearing loss affects approximately 28 million Americans and is affecting

more of us at younger ages. Hearing difficulties among those ages 45 to 64 increased 26 percent between 1971 and 1990, while those between ages 18 and 44 experienced a 17 percent increase.

About one third of the cases of hearing loss are caused, at least in part, by extreme or consistent exposure to high decibel noises. While the Environmental Protection Agency has worked to decrease our exposure to loud noises at work, many Americans now face threats to optimal hearing during their leisure hours from loud music, lawn mowers and outdoor equipment, automobiles, airplanes and other sources. Too many Americans simply are not aware of the devastating impact loud sounds can have on their hearing.

At the encouragement of the Senate Appropriations Committee, the National Institute on Deafness and Other Communication Disorders (NIDCD) is leading a collaborative effort with the National Institute on Occupational Safety and Health (NIOSH) and the National Institute on Environmental Health Sciences (NIEHS) to help improve awareness about noise-induced hearing loss. It is my hope that this effort ultimately will help reverse the trend toward increasing noise-induced hearing loss.

Health professionals, too, play an important role in the treatment and prevention of hearing loss. In particular, I'd like to highlight the important work of audiologists in successfully combating and treating hearing loss. Over the years I have been impressed by the cost-effective, quality care they provide, most notably demonstrated in the Department of Veterans Affairs health care system, which has allowed veterans direct access to audiologists since 1992.

Through high standards of care by qualified health care professionals and through improved education about the dangers of hearing loss, I believe we can protect and improve the hearing of millions of Americans. I ask unanimous consent that the attached article be printed in the RECORD.

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

[From the Washington Post]

HEARING LOSS TOUCHES A YOUNGER GENERATION; WITH RISE IN NOISE, MORE SEEKING HELP

(By Susan Levine)

Tomi Browne listens to people's ears. To how they hear and what they don't. And for most of her 22 years as an audiologist, her clients have been overwhelmingly older—stereotypically so. Seniors pushing 70 or beyond. The hearing-aid set.

But lately, surprisingly, Browne's contemporaries have been showing up at her Northern Virginia office.

These are men and women in their forties to early fifties, baby boomers. They confess that they strain to catch words in crowded restaurants or meetings, or that the television suddenly needs to be turned higher. Loud sounds really hurt their ears, and maybe they've noticed an incessant buzzing.

Some walk out with the startling news that they've permanently lost hearing. More

than a few return to get fitted for hearing aids.

"I'm seeing more of my classmates . . . as patients, rather than them bringing in their parents," said Browne, 44. "Sometimes they're even bringing in their teenage kids."

Other audiologists report the same sobering age shift, and statistics are starting to corroborate the anecdotal evidence. Data from the National Health Interview Survey indicate that significantly more Americans are having difficulties hearing. From 1971 to 1990, problems among those ages 45 to 64 jumped 26 percent, while the 18 to 44 age group reported a 17 percent increase.

California researchers found an even sharper rise in hearing impairment among more than 5,000 men and women in Alameda County, with rates of impairment for those in their fifties increasing more than 150 percent from 1965 to 1994.

With people living longer than ever, "This has to be viewed as a very serious health and social problem," said Sharon Fujikawa, president of the American Academy of Audiology. "It really behooves us to conserve our hearing as much as possible or risk isolation."

Marilyn Pena, a secretary from Germantown, was about 47 years old when she first learned her hearing was deficient. She ignored the diagnosis. Soon she also was ignoring her alarm clock—because she couldn't hear its wake-up beep—and resorting to lip reading at work. "People at work would come up and whisper in [my] ear because they didn't want others to hear, and I couldn't hear, either," she said.

After seven years, pushed by frustrated friends, Pena finally hooked a hearing aid behind her left ear. She no longer guesses in vain at conversation or asks, "What?" countless times a day. "Since I started wearing it, I'm much more observant. It's amazing how many people wear them."

Worrisome changes also are taking place among children and teenagers, who are growing up with rock concerts far more deafening than those the Woodstock generation attended, along with the mega-volumes of everything from video arcades to boomboxes. A study published last year in the *Journal of the American Medical Association* showed that nearly 15 percent of children ages 6 to 19 tested suffered some hearing deficit in either low or high frequencies. Other research has identified pronounced differences among high-schoolers compared with previous decades.

The main culprit, many suspect, is noise—not just the noise blaring from the headsets that seem permanently attached to teenagers but the noise from their parents' surround-sound stereos, which can rival small recording studios. Add the barrage to moviegoers' ears during flicks such as "Armageddon" and "Godzilla" (prompting enough complaints that the National Association of Theater Owners convened a task force), and the blast from leaf blowers, mowers, personal watercraft, power tools, even vacuum cleaners.

Technological advances they may be—powerful conveniences for daily life—but they produce decibel levels that can prove downright dangerous to the ears over time.

"We've grown up in a sort of turned-on, switched-on society," said Carole Rogin, president of the Hearing Industries Association. The group, in partnership with the National Council on the Aging, just completed a survey of the social, psychological and physiological impact of hearing loss. It's telling that the two organizations decided to drop the age of those polled from 65 to 50.

For the estimated 28 million Americans with a hearing loss, noise is a leading cause, experts say. Once that would have traced

back to the machinery din of mills and factories, but federal regulations have helped protect workers in industrial settings. Now it's more the hours away from work that are the problem. There's even a term for those who study excessive noise from leisure-time pursuits: recreational audiologists.

Dick Melia, of Arlington, never paid much attention to how annoying the lawn mower or tools were that summer during graduate school when he worked for a contractor. The same goes for the civil rights demonstrations he participated in during the 1960s, and later, the pro basketball games at which he cheered. He'd leave the arena with his ears ringing.

But during his forties, he noticed other things: how he'd replay his voice mail several times to get all of a message, how he'd race to keep up in discussions, wondering what words he had missed. Then, one night at his office, a fire broke out. The alarm went off. "I never heard it," Melia recounted.

His procrastination ended; at 50, he got hearing aids. "There is a problem of stigma," said Melia, who directs disability and rehabilitation research within the U.S. Department of Education. "There is something about hearing aids and the way society over the years has characterized hearing loss."

For one, the subject is freighted with fears about growing old. But some scientists and audiologists question whether diminished hearing is an unavoidable consequence of aging, or rather the cumulative assault of a cacophonous world. Both loud, sustained sound and extreme, sudden sound can damage and ultimately destroy the delicate hair cells in the inner ear that translate sound waves into nerve impulses. High-frequency sounds are usually the first casualty—consonants such as S and F and children's and women's voices. The ability to distinguish sounds and block background noise also deteriorates.

Because all that generally occurs over time, the onset of hearing loss is slow and insidious.

"People aren't concerned if it doesn't happen now," said Laurie Hanin, who leads the audiology department at the League for the Hard of Hearing in New York City. The league is analyzing voluminous data from 20 years of screenings in the New York metropolitan area, and Hanin expects to find a decided decline in hearing acuity.

Hanin, 42, sometimes has trouble understanding conversation, an unwelcome portent of the future. "My hearing tests normally, but I'm starting to have some problems," she said.

Last month, the National Institute on Deafness and Other Communication Disorders gathered 100 representatives of medical, research, volunteer and union organizations to talk about noise-induced hearing loss—how it occurs and how it can be prevented. The institute plans to launch a public awareness campaign on the issue in the spring.

Prevention and education were an ongoing effort at the Environmental Protection Agency until its Office of Noise Abatement was eliminated in 1982. That's about the time a push to require decibel labels on lawn equipment gave way to voluntary notices, which were "a miserable failure," in Kenneth Feith's view, and explain why instructions on lawn mowers or leaf blowers virtually never advise hearing protection.

"I think we're going to see a population suffering from hearing loss that will impair learning, impair our ability to carry out tasks," said Feith, an EPA senior scientist and policy adviser who headed the Office of Noise Abatement.

Musicians may be getting the message faster than others, thanks to groups such as

Hearing Education and Awareness for Rockers. The 10-year-old nonprofit California organization was founded by Kathy Peck, 39, whose bass career ended the morning after her band opened for Duran Duran. "I had ringing in my ears that lasted three days. It felt like a bongo drum was in my head." She sustained substantial, irreversible damage.

Early on, HEAR gained visibility when Pete Townshend of the Who wrote it a \$10,000 check and publicly acknowledged his own hearing loss. It soon will begin examining audiograms, demographic data and questionnaires from thousands of patients seen at HEAR's clinic in San Francisco. Most have been in their twenties and thirties.

Nightclubs such as the Capitol Ballroom and the 9:30 Club in the District now offer foam earplugs to patrons. Symphony orchestras increasingly make earplugs and plexiglass screens available to their musicians, especially those sitting within or near the percussion and brass sections. As part of the Navy bands' hearing conservation program, specially designed plugs are handed out even before a musician gets an assignment.

In the meantime, despite many people's refusal to admit they need help, sales of hearing aids are booming. Nearly 2 million were purchased last year, almost 25 percent more than in 1996, at a cost of \$600 to \$3,100 each. The most expensive are individually programmed digital devices capable of processing sounds 1 million times per second. When fitted within the ear canal, they are literally invisible.

One buyer in 1997 was President Clinton, who attributed his situation to an adolescence spent playing in school bands and rocking at concerts. According to staff members, the country's most prominent baby boomer wears his hearing aids sporadically. He is most likely to insert them for ceremonies or political gatherings, where he finds it harder to distinguish sounds.

Stephen Wells, a Washington lawyer who recently received bad news of his own, is weighing his options. Because of a childhood spent around tractors and harvesters on his family's Idaho farm, his right ear measures only borderline. And that's his better ear.

"My wife has been saying for a long time that I ought to see about a hearing test," said Wells, 51. He compares hearing aids to glasses in function but is uncertain how well they'll work for him day to day. "I expect that I will at least try them."

#### SAY AGAIN?

A number of conditions may disrupt the hearing process and lead to hearing loss. How the ear works and what commonly causes damage:

#### *How the ear Hears*

1. The outer ear collects sound waves and funnels them into the ear canal.
2. Sound waves strike the eardrum, causing it to vibrate.
3. Three tiny bones conduct the vibrations to the cochlea in the inner ear.
4. Tiny nerve endings in the cochlea, called hair cells, become stimulated. They transform the vibrations into electro-chemical impulses.
5. These impulses travel to the brain, where they are deciphered into recognizable sounds.

#### *Noise-induced hearing loss*

Such loss is caused by one-time exposure to extremely loud sound or sustained exposure to sounds at high decibels. Both damage hair cells in the inner ear.

#### *Symptoms of hearing loss*

The following are frequent indicators of hearing loss. Persons experiencing any of

these symptoms should make an appointment with a hearing professional.

Straining to understand conversations.

Misunderstanding or needing to have things repeated.

Turning up TV or radio volume to a point where others complain.

Having constant ringing or buzzing in the ears.

#### Measuring sound

The loudness of sound is measured in units called decibels. Experts agree that continued exposure to noise above 85 decibels eventually will harm hearing. The scale increases logarithmically, meaning that the level of perceived loudness doubles every 10 decibels.

	Decibels
Softest audible sound: .....	0
Normal conversation: .....	40-60
City traffic noises: .....	80
Rock concert: .....	110-120
Sound becomes painful: .....	125
Jet plane: .....	140

Source: International Hearing Society, League for the Hard of Hearing and National Institute on Deafness and Other Communication Disorders.

#### THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, March 9, 1999, the federal debt stood at \$5,650,748,864,597.49 (Five trillion, six hundred fifty billion, seven hundred forty-eight million, eight hundred sixty-four thousand, five hundred ninety-seven dollars and forty-nine cents).

One year ago, March 9, 1998, the federal debt stood at \$5,523,019,000,000 (Five trillion, five hundred twenty-three billion, nineteen million).

Five years ago, March 9, 1994, the federal debt stood at \$4,542,638,000,000 (Four trillion, five hundred forty-two billion, six hundred thirty-eight million).

Ten years ago, March 9, 1989, the federal debt stood at \$2,740,636,000,000 (Two trillion, seven hundred forty billion, six hundred thirty-six million).

Fifteen years ago, March 9, 1984, the federal debt stood at \$1,464,624,000,000 (One trillion, four hundred sixty-four billion, six hundred twenty-four million) which reflects a debt increase of more than \$4 trillion—\$4,186,124,864,597.49 (Four trillion, one hundred eighty-six billion, one hundred twenty-four million, eight hundred sixty-four thousand, five hundred ninety-seven dollars and forty-nine cents) during the past 15 years.

#### CONFIRMATION OF MONTIE DEER TO HEAD INDIAN GAMING COMMISSION

Mr. CAMPBELL. Mr. President, I am pleased to announce the confirmation by the Senate last night of Mr. Montie Deer to become Chairman of the National Indian Gaming Commission—the federal regulatory body overseeing certain Indian gaming activities nationwide.

After a hearing in February of this year, the Committee on Indian Affairs reported Mr. Deer to the full Senate. Mr. Deer is a qualified and dedicated public servant who most recently was the United States Attorney in Kansas.

Since 1988, Indian gaming has become a source of much-needed revenue for Indian tribal governments to provide

jobs, services and frankly, hope, where there is not much. There are now some 185 tribes operating some form of gaming operations, with annual revenues of nearly \$7 billion.

The National Indian Gaming Commission was created 11 years ago. This three-member agency has the responsibility to monitor and regulate certain forms of gaming conducted on Indian lands. The NIGC has the authority to approve management contracts; conduct background investigations; approve tribal gaming ordinances; and review and conduct audits of the books and records of Indian gaming operations.

The NIGC also has the authority and the responsibility to enforce violations of the Indian Gaming Regulatory Act, NIGC regulations and approved tribal gaming ordinances. Those involved with Indian gaming understand the need for a strong, effective Commission—one that protects the integrity of games offered by tribes. As we did last session, the Committee on Indian Affairs will soon consider legislation to strengthen the Commission and ensure it has the resources it needs to fulfill its obligations.

A strong Commission is meaningless without strong leadership and last night the Senate acted to ensure that strong and effective leadership will be the order of the day.

#### DECEPTIVE MAIL PREVENTION AND ENFORCEMENT ACT

Mr. BURNS. Mr. President, I'm here to announce my strong support of Senator COLLINS' bill S. 335, the "Deceptive Mail Prevention and Enforcement Act." I chose to be an original co-sponsor of this bill after hearing from several constituents who were confused, irritated, and even outraged by the deceptive language that is all too often found in sweepstakes and other promotional mailings.

I think every one of us has received at least a few junk mailings which brazenly inform us that we have just won millions of dollars or that we are about to receive a car, a luxury cruise, or some other prize that sounds too good to be true. Well, the sad truth is that it almost always IS too good to be true.

To many of us, these promotional mailings represent nothing more than a minor annoyance and are easily tossed into the garbage without a second thought. But for many others, these mailings are nothing more than a cruel hoax, a trap designed to play on the hopes and dreams of trusting folks who were raised in a time when most people meant what they said and said what they meant.

As an example of the misleading and downright dangerous content found in many of these mailings, I'd like to read into the record a portion of a letter that was sent to me last year by a constituent of mine who resides in Columbia Falls, Montana. This gentleman writes,

My father is a resident in a nursing home. He is 84, and suffers from mild dementia ag-

gravated by high-powered medications which treat his incessant headaches. (The magazine he subscribes to) endlessly sends him these misleading and deliberately-designed "You've Won!!!" bulletins that he cannot understand except to believe fervently that he's just got to go pick up his check for hundreds of thousands or even millions of dollars.

I believe these kinds of letters are deliberately designed to prey on the infirmities of old people, and of course get them to sign things that obligate them to free trials and unneeded products. Every episode brings my father increased stress, more headaches, and the need for additional medication. I am sure there are hundreds of thousands of people like Dad who want nothing to do with these phony promotions, but who can't get the mailers to remove them from the lists. Many, like Dad, don't have the daily clarity of thought to deal with mass-mailed deceptive come-ons like this.

Mr. President, I believe that the Deceptive Mail Prevention and Enforcement Act will go a long way towards preventing this kind of abuse of our senior citizens and other trusting individuals. Senator COLLINS' bill would not only establish strict new standards for honesty and disclosure in promotional mailings, but would provide strong new financial penalties for those who continue to violate these standards. It is my hope that the Committee on Governmental Affairs will be able to approve this legislation quickly, on a bi-partisan basis, so that we can bring an end to this plague of deceptive sweepstakes mailings which prey on our most vulnerable citizens.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on the Judiciary.

(The nominations received today are printed at the end of the Senate proceedings.)

#### REPORT CONCERNING THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO IRAN—MESSAGE FROM THE PRESIDENT—PM 15

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs.

#### To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the