It is no coincidence that the only way a Medicare beneficiary could avoid carrying multiple health insurance policies under the Republican proposal is to join a private Medicare managed care plan.

As Congress and the presidential candidates debate the merits of competing prescription drug coverage proposals, watch for allegations like ''one-size-fits-all'' and ''big government,'' and the like.

When applied to insurance coverage offering maximum choice in the areas that matter, choice of provider and access to medically necessary care, choice of prescription drug, pharmacies, and formularies, these terms simply fall flat.

Bear in mind also that more than the structure of a prescription drug benefit is at stake during these debates. The future of Medicare may, in fact, also hang in the balance.

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ENERGY POLICY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. HYDE) is recognized for 5 minutes.

Mr. HYDE. Mr. Speaker, I come to the floor to talk about energy policy, a subject that has been much in the news in recent days. Crude oil supplies are tight, and we expect prices of all the various petroleum products to rise in the coming weeks.

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Some may ask why should the chairman of the Committee on the Judiciary speak on this subject? In short, OPEC presents a classic antitrust problem that does not lend itself to antitrust solutions. What then should we do?

First, I want to suggest that the policy measures that have been advanced in recent days will not help for long. We must realize that our problem is not a temporary one, it is deep, it is structural and it is getting worse. Currently, we import more than 50 percent of the crude oil we use, and that number has been steadily increasing. So long as we allow that situation to persist, it will gravely threaten our national security and our way of life. So far we have been relatively lucky, but there is no reason to believe we will always have the same luck.

Last Friday, the Clinton-Gore administration decided to release 30 million barrels of crude oil from the Strategic Petroleum Reserve in an effort to lower prices. The idea is that the government will set oil prices. This from an administration that admitted it had been caught napping on oil prices last February. We established the Strategic Petroleum Reserve for national security reasons, to tide us over when there was a serious disruption in supply. At this point, there is no disruption at all. Prices are simply high because supply is tight. I do not like that, I wish they were lower, but tight supply is one thing and a disrupted supply is another. So the reserve was not meant to be a government price management tool.

Apart from that consideration, will this move succeed in lowering prices? I am not an economist, and I do not know what effect releasing a day and a half's supply of oil into the market over a month will have, but common sense would suggest that, holding all other things equal, it probably will reduce prices for a short time. But in a dynamic world, who knows whether all other things will remain equal. For example, why would OPEC simply not cut its production by a corresponding amount? Meanwhile, our buffer against a true disruption is lessened by a day and a half's supply during that time. How will we feel about that if Iraq decides to invade Kuwait again?

However, as the administration has stressed, this is a swap deal. Oil companies that take the oil will have to replace it with more at some future date. If that comes to pass, I will certainly be glad that we have more oil in the reserve. But what effect will removing that replacement oil have on market prices? If releasing 30 million barrels into the market will drop prices now, does it not stand to reason that removing more than 30 million barrels in the future will raise prices then? To put it in medical terms, this release is, at best, a temporary pain reliever that does nothing to cure the underlying disease. Indeed, it may well worsen our pain in a very short time.

What then do I propose? We must have a national energy policy that includes increased domestic energy production consistent with reasonable environmental guidelines, increased domestic refining and transportation capacity consistent with reasonable environmental guidelines, increased diplomatic pressure on foreign nations that produce oil, increased energy efficiency of engines and generation facilities, increased use of renewal energy sources throughout our economy, and a reformed excise tax structure. We can do all of this, and we can overcome this problem.

But these things that I have mentioned cut across the jurisdictions of lots of congressional committees and government agencies. They affect a lot of people and a lot of businesses. Because of that, we need sustained committed Presidential leadership. Only a comprehensive national energy policy can solve our problem, and only the President can lead us to that national energy policy. So I am introducing legislation, and have done so today, to call on the President to do that immediately.

So what can we do to ease the short-term pain? I think we must repeal the 4.3 cents a gallon deficit reduction tax that the Democrat Congress and administration passed in 1993. Fortunately, we have since ended the deficit. Unfortunately, in 1997, instead of ending this tax, we converted it to the Highway Trust Fund. I understand everyone wants their road projects, but consumers deserve some relief too. It is not a lot, but it will help until we get our long-awaited Presidential leadership.

Mr. Speaker, I call on all of my colleagues to support my Energy Independence Through Presidential Leadership Act. It calls on the President to provide immediate action to lead us to a national energy policy, and it gives short-term relief by repealing the deficit reduction tax. Let us forget the bandages and let us cure the disease.

Mr. Speaker, I come to the floor tonight to talk about energy policy—a subject that has been much in the news in recent days. The subject has been in the news because crude oil supplies are tight, and we expect prices of all the various petroleum products to rise in the coming weeks.

Some may ask why should the chairman of the Judiciary Committee speak on this subject? My answer to that is to ask why are world oil supplies tight. World oil supplies are tight because the members of the Organization of Petroleum Exporting Countries, or OPEC, have agreed among themselves to restrict the supply. They form a classic price fixing conspiracy that violates our antitrust laws. If they were American companies, they would go to jail. Unfortunately, they are sovereign nations, and we cannot reach them under our current law. In short, we have a classic antitrust problem that does not lend itself to antitrust solutions.

What then should we do? I know that we are in the middle of a campaign season, and I do not want to make this political. But I do want to suggest why some of the policy measures that have been advanced in recent days will not help. I also want to tell you what I think must be done. The Judiciary Committee has held three days of hearings on this subject this year, and we have learned quite a bit.

We must realize that our problem is not a temporary one. It is deep—it is structural—and it is getting worse. Currently, we import more than 50 percent of the crude oil we use and that number has been steadily increasing. So long as we allow that situation to persist, it will gravely threaten our national security and our way of life. So far, we have been relatively lucky, but there is no reason to believe that we will always have that same luck.

So, let's talk about some of the policy initiatives that are under discussion. Last Friday, the Clinton-Gore Administration decided to release 30 million barrels of crude oil from the Strategic Petroleum Reserve in an effort to lower prices. The idea is that the government will set oil prices—this from an administration that admitted that it had been ''caught napping'' on oil prices last February. I was not there when any of these comments were made, but according to press reports, Vice President GORE opposed this strategy last February, Treasury Secretary Summers thought it was a ''dangerous precedent,'' and Federal Reserve Chairman Greenspan also opposed it.

That is such a distinguished group that I hesitate to add my own thoughts, but let me do so briefly. We established the Strategic Petroleum Reserve for national security reasons—to tide us over when there was a serious disruption in supply. At this point, there is no disruption at all—prices are simply high because supply is tight. I do not like that, I wish they were lower, but a tight supply is one thing and a disrupted supply is another. So the Reserve was not meant to be a government price management tool.

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Now, some have suggested that ''Big Oil'' is price gouging. If that is so, then the oil companies must be punished. Last June, Representative JIM SENSENBRENNER and I were the first to ask the Federal Trade Commission to investigate this matter. So far, they have not brought any price gouging cases. I do not know what their investigation will ultimately show, but I think we have to be careful about throwing that charge around until we know what the evidence is.

Some have suggested that we change the law so that we can sue the foreign nations that make up OPEC. I would not oppose that—it is so emotionally satisfying to say let's sue them. But we have to realize that any such measure is largely symbolic and may lead to worse consequences for us. This is one of the first questions that we asked in our Judiciary Committee hearings and let me just quote what the Federal Trade Commission said in response:

> A possible enforcement action . . . raises practical questions as to whether jurisdiction can be obtained over OPEC and its member nations, how a factual investigation could be conducted with respect to documents and witnesses located outside the United States, and the nature and enforceability of any remedy.
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> . . . [P]erhaps most importantly, any enforcement action would raise significant diplomatic considerations. A decision to bring an antitrust case against OPEC would involve not only, and perhaps not even primarily, competition policy, but also defense policy, energy policy, foreign policy, and natural resource issues. In particular, any action taken to weaken a sovereign nation's defenses against judicial oversight of competition lawsuits, for example, would have profound implications for the United States, which places buying and selling restrictions on myriad products. Consequently, any decision to undertake such a challenge ought to be made at the highest levels of the executive branch, based on careful consideration by the Department of Justice and other relevant agencies.

I think that the last point is particularly timely when you consider that just last week the Yugoslavian government began a ''war crimes'' trial against President Clinton and other Western leaders growing out of our bombing of Kosovo. So we have to think about what the consequences of our action will be.

When we face the prospect of rising energy prices six weeks before an election, it is tempting to scramble around proposing band-aid solutions like those I have discussed. But they really do not do anything to address the problem. What then do I propose?

First, we must acknowledge that this problem is not easy to solve, and it will take commitment and discipline over a significant period of time. We must have a national energy policy that includes: increased domestic energy production consistent with reasonable environmental guidelines, increased domestic refining and transportation capacity consistent with reasonable environmental guidelines, increased diplomatic pressure on foreign nations that produce oil, increased energy efficiency of engines and generation facilities, increased use of renewable energy sources throughout our economy, and a reformed excise tax structure.

We have oil in Alaska and other places that we can use. Much of the home heating oil problem arise not from a lack of oil, but a lack of refining capacity. Refining capacity lags because environmental and other regulations make it almost impossible to build new refineries. I an confident that we can reconcile these things with reasonable environmental guidelines.

Let me quote from a recent statement on advanced oil drilling technology: ''advanced technology has led to fewer dry holes, smaller drilling 'footprints,' more productive wells, and less waste. All of these advances have contributed to a cleaner environment, and even greater benefits are possible. . . . We have only scratched the surface of what is possible—and of what technological improvements can do to benefit the energy security and environmental quality for future generations.''

You might think that this statement comes from ''Big Oil.'' In fact, it comes from the Clinton-Gore Administration's own Assistant Secretary for Fossil Energy just a year ago.

In that same vein, we heard testimony in the Judiciary Committee about the great advances that are being made in making more efficient engines and generation facilities. We are well along in this field, and we just need to make the changeover. We also need to look around us: the sun, the wind, and the waters are free and renewable. OPEC cannot take them from us. We must develop these energy sources.

We can do all of this, and we can overcome this problem. But these things that I have mentioned cut across the jurisdictions of lots of congressional committees and government agencies. They affect a lot of people and businesses. Because of that, we need sustained, committed presidential leadership. Only a comprehensive national energy policy can solve our problem, and only the President of the United States can lead us to that national energy policy. So I am introducing legislation to call on the President to do that immediately.

But candidly I do not expect that we are going to get much leadership in the waning days of the Clinton-Gore Administration. So what can we do to ease the short term pain? I think we must repeal the 4.3 cents a gallon deficit reduction tax that the Democrat Congress and Administration passed in 1993. Fortunately, we have since ended the deficit. Unfortunately, in 1997, instead of ending this tax, we converted it to the Highway Trust Fund. I understand that everyone wants their road projects, but consumers deserve some relief. It's not a lot, but it will help until we get our long awaited presidential leadership.

So, Mr. Speaker, I call on all of my colleagues to support my ''Energy Independence through Presidential Leadership Act.'' It calls on the President of the United States to provide immediate action to lead us to a national energy policy and it gives short term relief by repealing the deficit reduction tax. Let's forget the bandages and cure the disease.

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LACK OF HEALTH INSURANCE FOR OUR NATION'S CHILDREN

The SPEAKER pro tempore (Mr. ADERHOLT). Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I believe there has been enough debate on the floor of the House and as evidenced by news reports around this Nation for everyone to be aware that our health care system in America is near crisis in many areas. But today, Mr. Speaker, I announce that the care of our children and health care for our children is in shambles.

About 45 percent of the $4.2 billion provided in the 1997 legislation passed by Congress to provide health care for our children, health insurance, has not been spent by the States, State and Federal officials have announced. Any money left after a September 30 deadline will be redistributed to the 10 States that used their full allotments of Federal money under the children's health insurance program, a program created in 1997. Some 40 States are in jeopardy, and September 30 is fast appearing.

California and Texas, Texas is the State that I come from, together have 29 percent of the Nation's 11 million uninsured children, and my State of Texas, on September 30, 2000, stands to lose $446 million. Seven million of those children living in our Nation, 7 million of the 11 million children needing to have health insurance, are uninsured. Two-thirds of those children live in families with incomes below 200 percent of the poverty level.

Mr. Speaker, this crisis, this state of shambles must end. This program, this State-run program, covers children from families that do not qualify for Medicaid but cannot afford to buy insurance. This effort was supposed to extend coverage to an additional 2 million children who do not qualify for Medicaid, yet millions of children are believed to be eligible for programs but remain uninsured.