

an intentional "transfer" of possession or other method, is precisely the kind of activity that could potentially subject a manufacturer to the criminal penalties under section 4 of the bill. The fundamental purpose of this legislation is to ensure that the Secretary receives the information he needs to identify defects related to motor vehicle safety at the earliest possible opportunity.

I hope that you find this explanation helpful.

Sincerely,

TOM BLILEY,  
Chairman.

#### NEED FOR ACTION ON DEBT RELIEF

Mr. BIDEN. Mr. President, in the last days of this Congress, as we scramble to complete our work, I am worried that one of the most important issues before us may slip through the cracks.

Last week, I attended an extraordinary meeting at the White House, where President Clinton called together religious and political leaders to discuss the urgent need to provide debt relief for the poorest countries of the world. Looking around the table, it was clear that this was no ordinary issue, no ordinary meeting.

Just a partial list of the people in that room speaks volumes about this issue. There were bishops of several denominations, and a rabbi. The Reverend Pat Robertson was there, as was the Reverend Andrew Young. Democratic Congresswoman MAXINE WATERS was at the table, not far from Republican Congressman SPENCER BACHUS. A few seats from the President himself sat near the rock star Bono, who has become one of the most prominent spokesmen for the cause of debt relief.

President Clinton called us together because the need for debt relief is great, the logic of debt relief is compelling, and time left for us to pass debt relief legislation is alarmingly short. Failure to act now would be nothing less than a failure of the United States to lead what could be the most important international effort to bring the poorest nations of the world into a more positive, constructive role in the world economy.

Here are the facts, Mr. President. Around the world today, many poor nations actually pay more in interest payments to advanced industrial nations, and to international development banks, than they do on childhood immunizations, primary education, and other essential services.

Tragically, Mr. President, many of these countries are suffering through an AIDS epidemic that dwarfs any public health crisis the world has ever seen. No responsible person can argue that we have no interest in helping such countries fight against communicable diseases that are just a jet flight away from our cities. No moral person can argue that we should sit idly by while a continent loses a generation to disease.

The debts these countries owe are often the legacy of earlier govern-

ments, propped up by lending that suited the purposes of Cold War geopolitics, but that did precious little for the poorest of the poor in those countries. Today, the prospects of repayment by these countries is so small that the loans are now carried on our books at just a few cents on the dollar. A sensible business decision—made every day in this country and around the world—is to simply write off bad debts, and let both borrower and lender move on.

Following that sound economic logic, with the leadership and commitment of the United States, the major creditor nations of the world agreed several years ago to forgive some of the debt owed by the poorest of these countries. That program, known as the HIPC Initiative—for the "Highly Indebted Poor Countries"—requires significant commitments by the poor countries if they are to qualify. They must commit to market-oriented economic reforms, reduce corruption, and use the savings from debt relief for essential poverty reduction programs.

Already under way in several countries, the HIPC program has achieved tangible results—the kind of results we all want to see, and the kind of results that will be put at risk if we fail to fully fund our participation. In Uganda, money saved by debt relief under the HIPC program has allowed the government to end the fees for primary school students, fees that had kept enrollment down. Over the last four years, primary school enrollment there virtually doubled. That is what a well-designed debt relief program can do.

Because those debts are such a large part of the poor countries' income—often as high as thirty or forty percent—and because those same debts are realistically worth so little to us, a relatively small financial commitment on our part buys important economic assistance many times over. And because we are the leading economy in the world, Mr. President, our leverage is even greater. Other nations are waiting for us to act—the only prudent course for creditors working out this kind of deal—and that means that our relatively small contribution will trigger a major international initiative.

But that leverage works both ways. Without us, the viability of the whole initiative remains in doubt. Our inaction has stalled any further action on debt relief in Latin America, and will prevent all but a few eligible African countries from participating.

Something more than sensible, effective foreign policy is at stake here, Mr. President, which brings me back to that extraordinary meeting at the White House. The world's religious leaders, from the Pope to Billy Graham, in an interfaith, ecumenical unanimity rarely seen on any issue, have joined to challenge our nation's conscience. They have asked us to face the embarrassing fact that while we talk about providing assistance to the poorest nations—while in fact we do send a

tiny fraction of our own record income and wealth abroad—at the same time we continue to collect interest payments on those nations' old debts.

They have challenged us to follow the Biblical injunction to lift the burden of debt, in effect to put our money where we say our values are. They call on us to deal with the least fortunate in the way all of the world's great religions command. Now, when we are enjoying the best economic times in our history, as we stand as the most fortunate of nations, surely we can underwrite less than four percent of the overall cost of debt relief. That's right, Mr. President: our share is less than four percent of the total cost of the whole HIPC program.

For that contribution, we will assure the full implementation of nearly 30 billion dollars of debt relief for the poorest 33 countries of the world.

This program presents us with a powerful combination of economic logic and moral imperative. Here, in the last days and hours of this session of Congress, we must not let this opportunity slip away.

Earlier this year, the Foreign Relations Committee passed full authorization of two key funding mechanisms for our participation in the HIPC program. First, we authorized use of the balance of the funds made available through a revaluation of the IMF's gold holdings, to provide them with the resources to finance their share of the debt forgiveness—an action that will have no budgetary impact, that will not cost us a dime.

The Foreign Relations Committee also authorized the appropriation of \$600 million for our share, between 2000 and 2003, of the HIPC initiative. Senator HELMS, Senator HAGEL, and Senator SARBANES and I agreed on a set of conditions that would hold the Administration accountable for policies that will promote more focused, better monitored international financial institutions. But we agreed, in the end, that the program was too important to impose unworkable conditions or to require the kind of delay that could be fatal. It took compromise and good faith to achieve that agreement, which was reported out of our committee unanimously.

Mr. President, I am here today to say that those principles must guide any final agreement. That means there must be no new, unworkable demands for overhauling international financial institutions like the IMF and the World Bank before debt relief can go forward. That will require the spirit of bipartisan accommodation that we achieved in our committee.

So far the Senate has only appropriated \$75 million for debt relief. This is only a place holder for a final amount, now under negotiation. The House has done somewhat better, but is still far short of the mark. One of the problems is that full authorization has not reached the Senate floor, where I

am confident it would receive overwhelming bipartisan support.

Right now, as I speak, there is still hope that we can reach an accommodation on authorizing language that the Appropriations Committee is seeking before it provides the full amount of debt relief needed to make the HIPC program a reality.

But time is running out, Mr. President, and we are dangerously close to forfeiting our international leadership on this issue. That means forfeiting not just our leadership in international financial affairs, Mr. President. If we fail to provide full funding for our participation in the international debt relief effort, we will forfeit something even more valuable: our moral leadership.

#### IN REMEMBRANCE OF THE HONORABLE SID YATES

Mr. CAMPBELL. Mr. President, Sid Yates, former Congressman from Ohio and a long-time friend of Indian country passed away last week.

I am particularly saddened because in the last 2 years, we have lost Morris Thompson, the Alaska Native tribal leader and one of the instrumental leaders in Alaska politics, Dr. Helen Peterson one of the founders of the National Congress of American Indians (NCAI), and now our long-time friend Sid Yates.

Indian country is losing far too many friends and most unfortunate is that we seem to be losing more friends than we are gaining.

As a Congressman from the State of Ohio with no federally-recognized Indian Tribes Sid Yates had no political reason to become the champion for Indian causes that he was known for. His dedication was not part of constituent service and he stood to lose more than he gained from his advocacy. Nonetheless, Sid Yates' commitment and determination to do the right thing never wavered.

I am saddened to be making this statement because all who knew or came in contact with Sid Yates were awed by his generous heart and humbled by the patience he showed with his colleagues and with the public—even when they disagreed with him.

His patience and focus in the legislative realm were legendary. Sid Yates started what I believe an appropriate protocol in the House Subcommittee by affording every Tribal Leader wishing to come before the subcommittee the brief opportunity to describe the most pressing needs of his or her Tribe.

When I came to the House of Representatives in 1986, I became deeply involved in issues that affect my State of Colorado, natural resource issues and of course issues that affect American Indians. In pursuing and working on these matters, I worked with Sid Yates time and again and benefitted from that association both as a legislator and as a man.

Sid Yates also knew when generosity of spirit and patience were not the ap-

propriate response. In the mid 1980's a series of newspaper articles appeared in the Arizona Republic that revealed a breathtaking level of corruption and waste in the Federal Bureau of Indian Affairs. Millions of dollars were being siphoned off or wasted and were not getting to the Indian beneficiaries as Congress intended.

As Chairman of the House Subcommittee on Interior Appropriations, Sid Yates took bold steps to ensure that this would not happen again and launched the Tribal Self Governance Demonstration Project. I am proud to say that in August the President signed legislation that I sponsored in the Senate to make permanent Self Governance in Health Care.

The auditorium in the U.S. Department of Interior was appropriately named the "Sid Yates Auditorium" and his name will carry with it the kind of dedication and honesty that was his hallmark.

It is customary and protocol to add the prefix "The Honorable" when talking of elected leaders and if there was ever a man who fulfilled that moniker it was the Honorable Sid Yates.

#### TAXPAYER PROTECTION AND CONTRACTOR INTEGRITY ACT

Mr. HARKIN. Mr. President, yesterday I introduced the Taxpayer Protection and Contractor Integrity Act. This legislation, which was introduced concurrently by Rep. PETER DEFAZIO in the House, is intended to crack down on fraud and abuse in government contracts. It would say to federal government contractors that have been convicted or had civil judgement rendered against them at least three times for procurement fraud and related offenses: you do not deserve further taxpayer support; you are suspended from new contracts for three years. Three strikes and you're out.

A recent report by the General Accounting Office on procurement fraud by the 100 largest Department of Defense contractors during the years 1995-1999 found: 8 criminal cases in which contractors pled guilty and paid fines totaling \$66 million, and 95 civil cases, including 94 settlements and one judgment, in which awards totaled \$368 million. The offenses included overcharging, kickbacks, defective products, procurement fraud, misuse/diversion of government furnished materials, cost/labor mischarging, and others. A number of companies, including some of the largest DOD contractors, had several criminal convictions or civil judgments for similar offenses over a few years. This clearly demonstrates a pattern of misconduct.

But the Department of Defense continued to conduct business with contractors even after these companies had committed multiple frauds against the government. Not one of the top military contractors guilty of procurement fraud was barred from future contracts. According to a recent Associ-

ated Press analysis, there are 1,020 contractors government-wide that were sued or prosecuted for fraud in the past five years. Of these, 737 remain eligible for future contracts.

It is disgraceful that the Pentagon and other agencies seem to hear and see no evil in the criminal fraud committed by contractors. Now it's up to Congress to step in and start cracking down on big contractors who have been swindling the federal government out of billions of dollars. I am hopeful that the bill we're introducing today will force all contractors to play by the rules and stop ripping off American taxpayers.

Under current law, a contracting officer is required to make a determination regarding the integrity and responsibility of a potential contractor prior to awarding a new contract. In making this determination, prior convictions can be taken into account, but even with several convictions an individual or company may still be granted a contract award.

The bill I introduced would require contractors to disclose the number of convictions or civil judgments, the nature of the offense, and whether any fines, penalties, or damages were assessed. Any contractor who has three or more convictions or civil judgments for fraud and similar offenses related to government contracts would be prohibited from receiving future contracts. Existing contracts would not be impacted. The prohibition on future contracts would last three years. If, during that period, the contractor demonstrates a satisfactory record of ethics and integrity by avoiding additional criminal convictions, the contractor may become eligible for future federal contracts. The bill also allows a waiver by the President in the interest of national security or to prevent serious injury to the government. Note that the bill does not prevent debarment under current procedures for fewer than three violations or broader consideration of ethics under the proposed OMB regulations. But recognizing that some agencies will not use these discretionary procedures, the bill sets a firm limit.

The bill was crafted much like the Violent Crime Control and Law Enforcement Act of 1994, which made life in prison mandatory for criminals convicted of their third federal felony. That's why we sometimes call this the "Three strikes and you're out" bill. This bill, however, is much softer, as the suspension can be lifted after three years. We've made a commitment in this country to be tough on crime. That resolve should apply to federal contractors too. It is time to stop rewarding criminal contractors with American taxpayers' hard-earned dollars.

#### GAMBLING

Mr. BROWNBACK. Mr. President, I would like to make a few remarks today regarding the recent proposals put