

For those reasons, I have asked that I be recorded as "no" on the final vote on the omnibus appropriations bill.

I thank the Chair.

EXHIBIT 1

[From the Washington Post, Dec. 5, 2000]

BYE-BYE, SURPLUS

(By Robert D. Reischauer)

A president with no mandate to pursue his campaign promises. A Congress hardened by four years of partisan combat, scarred by a bitter election and immobilized by the lack of a party with a clear majority. Isn't this the recipe for continued gridlock? Won't legislative paralysis leave the growing budget surpluses safe from plunder for another two years?

Don't bet on it. A torrent of legislation that squanders much of the projected surplus is much more likely than continued gridlock, because four key ingredients needed to cook up a fiscal feast of historic proportions will all be present next year.

First, there will be the new president's desperate need to affirm his administration's legitimacy. There's no better way to do this than to quickly build a solid record of legislative accomplishment, one that convinces Americans that the era of partisan gridlock is over and the new occupant of the Oval Office deserves to be president of all the people, even if he didn't win a convincing majority of the popular vote.

The second ingredient will be new and even larger projections of future surpluses. These will make the president's legislative agenda look like the well-deserved reward for a decade of fiscal fasting rather than a return to reckless budget profligacy. During the presidential campaign, the two candidates debated how best to divide an estimated \$2.2 trillion 10-year surplus among tax cuts, spending increases and debt reduction. The budget offices' new projections, which will be released early next year, will almost certainly promise even fatter, juicier surpluses, surpluses that will boost the expectations of all of the greedy supplicants.

Rather than being bound by gridlock, the 107th Congress will be poised for a feeding frenzy, the third ingredient for the fiscal feast. Nervously eyeing the 2002 election, when each party will have a reasonable shot at gaining effective control of Congress, Democrats and Republicans will curry favor with all important—and many not so important—interest groups. While the election campaign underscored the different priorities of the two parties, it also revealed many areas where there was bipartisan agreement that more should be spent. Education, the top priority of both candidates and the public's primary concern, could benefit from a bidding war if each side tries to prove that it is the "Education Party." Increases in defense spending also have broad bipartisan support. And then there is the irresistible impulse to shower resources on health research (NIH), Medicare providers and farmers, to name but a few.

The size of the projected surpluses, the uncertain political environment, and the argument that those surpluses are "the hard-working people of America's money . . . not the government's money" will make a large tax cut almost inevitable. No one will stop to ask whose money it was when the hard-working people's representatives racked up \$3.7 trillion in deficits between 1980 and 1998 or whether we owe it to our kids to pay down the increased public debt these deficits generated. Instead, large bipartisan majorities will rally around and add to a presidential proposal that includes marriage penalty relief, rate cuts, tax credits for health insurance, new incentives for retirement saving,

and an easing of the estate tax for struggling millionaires who have had to suffer through a period of unprecedented prosperity and soaring stock values.

A weakening economy—the final ingredient—will wipe away any lingering qualms lawmakers may have about wallowing again in waters of fiscal excess. No matter that the vast majority of economists welcome slower growth because they believe that the current 4 percent unemployment rate is incompatible with price stability. If the unemployment rate drifts up close to 5 percent—a level that labor, business and the Fed considered unattainable as recently as 1995—the summer soldiers of fiscal prudence will cut and run, slashing taxes and boosting spending, claiming as they retreat that these actions are the only way to save the nation from another Great Depression.

The current fiscal year will be the third consecutive one in which the budget, excluding Social Security, has been in surplus. The last time such a record was achieved was 1928 to 1930. If the new president and the 107th Congress do what comes most naturally, we may have to wait another 70 years to celebrate such an accomplishment. Worse yet, we will wake up after the fiscal feast to discover that the surplus has been squandered while the nation's foremost fiscal challenge—providing for the baby boomers' retirement—has not been addressed because that required difficult choices and political courage.

The PRESIDING OFFICER. Under the previous order, the conference report is agreed to.

Ms. COLLINS. Mr. President, the Appalachian National Scenic Trail is a treasure that thousands of Americans enjoy every year. From day hikers to adventures making the 2,167 mile trip from Georgia to Maine, all who travel the footpath enjoy a remarkable wilderness experience.

The National Trails System Act of 1968 designated the Appalachian Trail as one of our nation's first scenic trails and authorized the Secretary of Interior to protect the trail through the acquisition of land along the trail or by other means. Over the years, Congress has supported this important effort through appropriations that have enabled the National Park Service to acquire more than 3000 parcels of land, protecting ninety-nine percent of the trail for future generations.

Despite the success of the last thirty years, more work needs to be done to ensure that the trail is preserved in its entirety. The longest remaining unprotected segment of the Appalachian Trail crosses Saddleback Mountain, in the Rangeley Region of western Maine. The 3.1 miles that traverse the Saddleback Mountain range is one of the trail's highest stretches, offering hikers an alpine wilderness trek and extraordinary vistas. The mountain is also home to Saddleback Ski Area, which draws skiers to an area of Maine where many are employed in the tourism industry.

For nearly twenty years, the National Park Service and the owners of the ski area have sought an agreement that balances the preservation of the trail experience as it exists today and development opportunities at the mountain that would draw additional

skiers to the resort and the region. Some have been inclined to suggest that skiers and hikers cannot share Saddleback Mountain, but I have always maintained that with careful planning, preservation and economic development can coexist. Consequently, I have long urged both sides to work together to find a resolution that satisfies the interests of those who cherish the Appalachian Trail, as well as those who live and work in the Rangeley Region.

Mr. President, the impasse between the National Park Service and the owners of Saddleback Mountain is drawing to a close. The agreement so many have labored to achieve has been all but finalized, and with the passage of the bill before us today, Congress will establish the framework by which this matter can be resolved. Included in the bill is a provision proposed by me and Senator SNOWE directing the Secretary of Interior to acquire the land necessary to protect the Appalachian Trail as agreed to by both the Department and the owners of Saddleback Mountain. The language also directs the Secretary to convey the land to the State of Maine.

I would like to express my appreciation to Appropriations Committee Chairman STEVENS and Subcommittee Chairman SPECTER for working with Senator SNOWE and I on this matter of importance to our State. I would also like to thank Interior Subcommittee Chairman GORTON for including the Saddleback acquisition in the list of projects approved for Title VIII funds in the FY 2001 Interior Appropriations bill. Their support, along with the dedication of many others who have been involved in the negotiations, will ensure that skiers and hikers can share in the enjoyment of the natural beauty and wonders of Saddleback Mountain for generation to come.

CORRECTING THE ENROLLMENT OF H.R. 4577

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Con. Res. 162.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 162) to direct the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 4577.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. STEVENS. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table, all without intervening action or debate.

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

The concurrent resolution (S. Con. Res. 162) was agreed to, as follows:

S. CON. RES. 162

Resolved by the Senate (the House of Representatives concurring), That the Clerk of the House of Representatives, in the enrollment of the bill (H.R. 4577), making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 2001, and for other purposes, shall make the following correction:

In section 1(a)(4), before the period at the end, insert the following: “, except that the text of H.R. 5666, as so enacted, shall not include section 123 (relating to the enactment of H.R. 4904)”.

Mr. STEVENS. Mr. President, I regret deeply that last concurrent resolution, and at some time in the future I will explain it.

I am awaiting some other papers. For the time being, let me say this. I have stood on the Senate floor several times talking about the Steller sea lion problem. I personally thank Mr. John Podesta, the President's assistant, for talking to me for so long and working with our staff and myself for so long, into the early hours this morning and through the day, to bring about a resolution of the problem I have been discussing.

I cannot say we won this argument, but I can say we have reached a conclusion that will allow a substantial portion, approximately 90 percent, of the fishermen affected by this issue to return to fishing next January. These are people who live along a stretch of coastline and on islands, as I said, that are the same distance as from this city to the end of the Florida chain. They are people who live in very harsh circumstances and have one basic source of income, and that is fishing.

We have been able now to agree on a process by which the fishing season will commence on January 20. Incidentally, it has nothing to do with the Inauguration; it just happens to be the first day of fishing season. We are delighted we have found a way to resolve the conflict. It still means there is a long hard task ahead of not only this Secretary of Commerce and his personnel but the next Secretary of Commerce and personnel to carry out the agreement we have crafted and to see that it works.

I am pleased to say we have had a great many people who have assisted us. As I said earlier, the distinguished majority leader and minority leader were personally involved, as were their staffs, along with the staff of the Assistant to the President, and the Office of Management and Budget. I cannot leave out, and would not leave out, the distinguished chairman of the House Appropriations Committee, the Honorable BILL YOUNG, a Representative from Florida, who waited for this resolution.

I know it was a harsh task he had, and there are many Members in both the House and Senate who were inconvenienced by this delay. I can only thank them for their cooperation. As I have said before, not one Member of Congress argued with me about the

delay. They all understood that we had a substantial problem.

It is not easy to represent a State and people who live closer to Tokyo than Washington, DC. These people really have but three spokesmen in Washington compared to the many that other States have. They rely on us to convey their wishes and to convey their dilemmas over potential Federal actions and to seek solutions.

I am delighted we have received the cooperation that led to a consensus today that I believe will assist them and will start the resolution of this problem and bring it to a conclusion where we can abide by the Magnuson-Stevens Act that governs the fisheries off our shores and, at the same time, respect the findings that are made under the Endangered Species Act.

I thank Sylvia Matthews, Office of Management and Budget; Michael Deitch, Office of Management and Budget; Penny Dalton of NOAA; Mark Childress of Senator DASCHLE's office; Dave Hoppe of Senator LOTT's office; and Lisa Sutherland and David Russell of my office for their hard work on the issue pertaining to Steller sea lions.

PUBLIC SAFETY OFFICER MEDAL OF VALOR ACT OF 2000

Mr. STEVENS. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of H.R. 46 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 46) to provide a national medal for public safety officers who act with extraordinary valor above and beyond the call of duty.

There being no objection, the Senate proceeded to consider the bill.

Mr. LEAHY. Mr. President, today we consider three bipartisan measures offered together as a package: the Public Safety Officer Medal of Valor Act, H.R. 46; the Computer Crime Enforcement Act, which I introduced as S. 1314, on July 1, 1999, with Senator DEWINE and is now also co-sponsored by Senators ROBB, HATCH and ABRAHAM; and a Hatch-Leahy-Schumer “Internet Security Act” amendment. I thank my colleagues for their hard work on these pieces of legislation, each of which I will discuss in turn.

I support the Public Safety Officer Medal of Valor Act. I cosponsored the Stevens bill, S. 39, to establish a Public Safety Medal of Valor. In April and May, 1999, I made sure that the Senate acted on Senator STEVENS' bill, S. 39.

On April 22, 1999, the Senate Judiciary Committee took up that measure in regular order and reported it unanimously. At that time I congratulated Senator STEVENS and thanked him for his leadership. I noted that we had worked together on a number of law

enforcement matters and that the senior Senator from Alaska is a stalwart supporter of the men and women who put themselves at risk to protect us all. I said that I looked forward to enactment of this measure and to seeing the extraordinary heroism of our police, firefighters and correctional officers recognized with the Medal of Valor.

On May 18, 1999, I was privileged to be on the floor of the Senate when we proceeded to consider S. 39 and passed it unanimously. I took that occasion to commend Senator STEVENS and all who had worked so hard to move this measure in a timely way. That was over one year ago, during National Police Week last year. The measure was sent to the House where it lay dormant for the rest of last year and most of this one.

The President of the United States came to Capitol Hill to speak at the Law Enforcement Officers Memorial Service on May 15, 2000, and said on that occasion that if Congress would not act on the Medal of Valor, he was instructing the Attorney General to explore ways to award such recognition by Executive action.

Unfortunately, these calls for action did not waken the House from its slumber on this matter and the House of Representatives refused to pass the Senate-passed Medal of Valor bill. Instead, over the past year, the House has insisted that the Senate take up, fix and pass the House-passed version of this measure if it is to become law. House members have indicated that they are now prepared to accept most of the Senate-passed text, but insist that it be enacted under the House bill number. In order to get this important measure to the President, that is what we are doing today. We are discharging the House-passed version of that bill, H.R. 46, from the Judiciary Committee, adopting a complete substitute, and sending it back to the House.

I have worked with Senator HATCH, Senator STEVENS and others to perfect the final version of this bill. We have crafted bipartisan improvements to ensure that the Medal of Valor Board will work effectively and efficiently with the National Medal of Valor Office within the Department of Justice. Our legislation establishes both of these entities and it is essential that they work well together to design the Medal of Valor and to create the criteria and procedures for recommendations of nominees for the award. The men and women who will be honored by the Medal of Valor for their brave deeds deserve nothing less.

The information age is filled with unlimited potential for good, but it also creates a variety of new challenges for law enforcement. A recent survey by the FBI and the Computer Security Institute found that 62 percent of information security professionals reported computer security breaches in the past year. These breaches in computer security resulted in financial losses of more than \$120 million from fraud, theft of