

capacity? This is the area I am talking about specifically. This is the 19 million acres; this is the refuge, 9.5 million acres; this is the wilderness, 8 million acres; this is the Coastal Plain, 1.5 million acres. The footprint would be 2,000 acres, if the oil is there. We have the pipeline right over there. The President vetoed this in 1995. If he had approved it, we would have production today. We have an availability of 1 million barrels a day in this pipeline right now. We have the overthrust belt, as I have indicated. We have OCS. We have the Rocky Mountains. But there is no effort by the administration for domestic production.

For those who wonder what it is really like up there and have never been there but are experts on it, who speak on the floor with profound knowledge and have never been to Alaska, let alone the Arctic, this is the Arctic Slope of Alaska. This is a rig. This is what it looks like 8 months of the year. This is winter. It is a long winter. It is pretty dark. This is an ice road. This is an ice pad. They build it up with water and ice so the footprint is minimum. Here is the same picture in the summer. The summer should be 4 months, but it is really only about 3. This is the tundra. That is the footprint. That is reality. It is awful hard to get people to come up and look at it and recognize it for what it is.

We are concerned about some of our friends, legitimately so. These are legitimate friends. They are going for a walk. Where are they walking? They are walking on the pipeline. It is warm. They don't get their feet cut. Here are three bears, right at home. That is not a prop; that is real.

We have a few more friends; we are concerned about these friends. Here are some of our friendly caribou. There you have it. That is Prudhoe Bay. That is technology that is 30 years old. No guns allowed; you can't shoot them. You can't run them down with a snow machine. When we started Prudhoe Bay, we had 3,800 caribou. Now we have a herd of more than 18,000. I don't know whether that convinces anybody that we have a sensitivity about the environment, that we can work with our technology and do it right. If we get an opportunity for people to objectively take a look at the job we have done, the technology we have developed over the years, and the opportunity we have to contribute to the energy security of this country as opposed to more dependence on imports, they usually agree with us.

That is where we are. I will conclude with a short rundown of the long-term and intermediate relief that we have proposed within our caucus to provide an opportunity to Members of this body to address what kind of relief they want. I have spoken to the gas tax. I have enunciated quite clearly that we do not have at risk the highway trust fund. That will be made whole. I have explained in detail that this measure would suspend the tax

until the end of this year only, that it would come on only if the average price of gasoline got to \$2 a barrel, and that the 4.3-cent-a-gallon tax originally did not go to the highway trust fund, it went to the general fund.

I conclude with what we are going to present to this body in our legislative package, which is some kind of a relief for the Northeast on crude oil storage, for not only crude but heating oil. They have been hit very hard, and they are going to be hit harder when they generate electricity this summer. A lot of it is going to be generated from fuel oil. They are going to be paying perhaps a third to two-thirds more for electricity because that is what comes on the line last. As a consequence, the costs associated with all other forms of energy raise up to the last energy source that contributes to the power pool, and that will be fuel oil.

We are also going to look at an effort to address the difficulty with the stripper wells by establishing some kind of a bottom price level where, when oil gets very low, they can still stay in existence. Make no mistake about it, the strippers make a tremendous contribution. We can't afford to lose them. They are all over Oklahoma. They are in Kansas, in many States. Senator KAY BAILEY HUTCHISON has legislation to address their survival.

We have legislation for delay of rental payments, to allow expenses for geological and geophysical costs, percentage depletion legislation, NOL carrybacks, marginal and inactive well tax credits, language to address opening within the overthrust belt on public lands.

Obviously, we are interested in coal because coal can play a major role in the power source needs of this country. This administration proposes to close eight coal-fired plants. They claim the management of those plants is going to be held criminally liable because they have intentionally extended the life of these plants that were grandfathered. That is the full employment act for the lawyers. They have no idea of where they are going to pick up the power to substitute for these plants.

We can address coal through technology, given the opportunity. The administration doesn't have a plan for coal. What are they doing with nuclear? Nothing. They won't address the problem of what to do with the waste. On the West Coast, they will not do anything about hydro. They are proposing to take the dams down. I don't know how many hundreds of trucks a day are going to be on the highways of Oregon if they take those dams down. Grain will be moved by truck rather than barge, contributing to more gas usage and more pollution.

The Administration says, we are going to move to increased use of natural gas. If you read the National Petroleum Institute figures, we are using 20 trillion cubic feet of gas now. In the next 15 years, we would be up to 31. We don't have the infrastructure to deliver

it. We will have to invest \$1.5 trillion for that infrastructure. But, the gas is not available for exploration because they won't let us have access to public lands. So gas is not the answer.

If you look at what we are attempting to do as opposed to what the other side has proposed, which is what? Alternative energy, conservation, some tax breaks—I am all for those things. But we have to do something right now. We have a plan. And if it is a priority and deemed a priority by this body, then you have a choice. You have a choice of whether to vote for the gas tax suspension for the balance of this year, if you feel that is a priority or you don't. It will not jeopardize the highway trust fund. Again, it is no free ride. We will have to find that money someplace else.

I could go on at length, but I felt it necessary to make this presentation to ensure that we had a fair understanding of what we are proposing in our caucus for immediate, interim, and long-term relief options against what you are hearing from the other side. I wanted you to know what we can do domestically to relieve our dependence on imported oil. And, I wanted to point out what the administration says we got the other day compared to the reality of what we got when we read the fine print.

It appears that our negotiators got the short end of the so-called stick because that increase, again, was only 500,000 barrels a day. It has a floor and a ceiling: a \$28 ceiling; a \$22 floor. If you think we will see oil cheaper than that, it simply is not going to happen.

If any Members would like to discuss with me just what is in this highway tax bill, please don't hesitate to do so.

I yield the floor.

LAUNCHING OUR COMMUNITIES' ACCESS TO LOCAL TELEVISION ACT OF 2000—Continued

The PRESIDING OFFICER (Mr. SMITH of Oregon). The Senator from Minnesota.

Mr. GRAMS. What is the order of business before the Senate?

The PRESIDING OFFICER. The pending business is amendment No. 2902.

Mr. GRAMS. Mr. President, I ask unanimous consent to speak up to 10 minutes in support of S. 2097.

The PRESIDING OFFICER. Is there objection?

Mr. BYRD. Reserving the right to object, and I will not object, I ask unanimous consent that I be recognized following Mr. GRAMS to speak out of order.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. GRAMS. Mr. President, I rise this afternoon to express my strong support for S. 2097, the Launching Our Communities Access to Local Television Act of 2000. I also commend Senator CRAIG THOMAS and Senator TIM

JOHNSON for the work they have done. They have been on the floor today talking about this bill; more important, they have been working for days, weeks, and even months trying to put this bill together. I really thank them and commend them for all the work and effort they put into getting this bill to where it is today.

During the 106th Congress, few issues have generated as many phone calls, letters, and e-mails to my office as those opinions expressed by rural Minnesotans concerned about the future of their satellite television programs.

In recent months, Federal district court decisions terminating the satellite signals of thousands of satellite subscribers and the uncertain status of the Satellite Home Viewer Act have caused unnecessary frustration and inconvenience for Minnesotans who depend upon satellite television for informational, education, and entertainment programming on a daily basis. For these reasons, I am very pleased to have supported the enactment of legislation last year that reauthorized the Satellite Home Viewer Act.

The Satellite Home Viewer Improvement Act has begun to encourage greater competition between the satellite and cable industries while also providing consumers in the top television markets with the benefit of "local-into-local" television programming. Additionally, this law has protected existing satellite subscribers from having their distant network signals terminated and reduced the copyright fees paid by satellite providers. This reduction in copyright fees has helped to make satellite service more affordable to consumers, particularly in rural areas.

I also recognize that millions of Americans in small, rural areas have not begun to enjoy the local-into-local programming because satellite carriers do not have the capability to provide this service into small, rural areas immediately. In fact, two of the largest satellite providers, DirecTV and Echostar, have testified that their companies will initially provide local-into-local service to households in the top 50-60 television markets. Thus, approximately 150 television markets such as the Duluth-Superior, Rochester, and Mankato television markets in Minnesota will not receive this programming as quickly as urban markets.

I firmly believe that Congress should ensure that rural America receives the benefits of this technology and local-into-local programming. For these reasons, I have been working with my colleagues on the Senate Banking Committee, industry groups, and consumers to pass the "LOCAL TV Act." This legislation would establish a \$1.25 billion loan guarantee program to facilitate access to local television programming in rural Minnesota communities and throughout the country. Importantly, the LOCAL TV Act will help to facilitate local-into-local program-

ming without mandating a specific technology to provide this service and thereby encouraging competition and innovation by independent cable companies and satellite providers.

I was very concerned that this legislation excludes several private lenders from providing the financing to ensure local-into-local programming throughout rural communities. Specifically, the LOCAL TV Act provides that the federal government will guarantee 80 percent of any loan that is provided by FDIC insured depository institutions. So far, so good.

Mr. President, limiting the guarantee to 80 percent assures that whichever lending institution provides the financing will have very good reason to give the loan request extensive scrutiny to justify the 20 percent of the loan which is not guaranteed and perhaps decide not to lend. This careful scrutiny would be less assured if we allowed 100 percent government loan guarantees.

I also support authorizing the FDIC insured lenders to have the opportunity to participate in the loan guarantee programs. However, the bill currently excludes certain private sector lenders which have substantial experience providing multi-million dollar loans in a coop environment and which have a track record of support for projects of this size in rural areas.

For this reason, I have joined with Senators JOHNSON and THOMAS to introduce an amendment to this bill which will expand the list of eligible lenders. Specifically, the Johnson-Thomas-Grams amendment requires eligible lenders to have at least one issue of outstanding debt that is rated in one of the three highest rating categories by a national statistical rating agency. This provision will ensure that our expanded list of lenders will have been subjected to rigorous marketplace scrutiny. The process of achieving one of the three highest investment grade ratings involves an intense review of the lender's capital strength, lending expertise, and loan loss experience.

The wording for this amendment is almost identical to wording which this body utilized last fall when we passed S. 900, the Gramm-Leach-Bliley bill. In that landmark legislation, the test of marketplace scrutiny was used to determine which of the top 50 national banks could conduct expanded activities in a bank subsidiary.

The theory we used was that marketplace discipline is an important threshold in sorting the qualified from the unqualified. That same approach is being put in place here.

Lastly, our amendment also requires an eligible lender to have provided financing with outstanding debt from the Rural Utilities Service. This provision is important because the underlying bill authorizes the Rural Utilities Service to be the administrator of the loan guarantee program.

The second part of this provision states that the approved lender must demonstrate to the loan guarantee

board that it has the expertise, capacity and capital strength to provide financing pursuant to the act.

Mr. President, I believe the Johnson-Thomas-Grams amendment will strengthen the LOCAL TV Act and ensure that rural Americans will soon enjoy the benefits of local television programming. I am pleased that Chairman GRAMM has been working to accommodate our concerns and strengthen this legislation.

Mr. President, again, I commend and thank very much Senators CRAIG THOMAS and TIM JOHNSON for all their hard work in making this legislation possible. I urge everybody's strong support of this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. BUNNING. I ask unanimous consent that the prior order to allow Senator BYRD to follow Senator GRAMS be vitiated.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BUNNING. Mr. President, I rise, first of all, to support S. 2097, the LOCAL TV Act of 2000.

I ask unanimous consent to withdraw the amendment I had previously offered and on which the yeas and nays were ordered.

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

Mr. BUNNING. Mr. President, I want to make a few comments about the mistaken identity by the National Association of Broadcasters in relationship to my amendment. What we have tried to do, and what this bill has successfully done, is allow most of the areas in the United States to have access to dish or satellite television. But there are areas that have been excluded. I will give you an example of some of those.

Areas are excluded when most of the television stations that are received in-state are based out of the State. I use Kentucky as an example. If you want to hear something in Kentucky and you don't live in Louisville or Lexington, or a couple of other smaller cities, such as Bowling Green and Paducah, you must get your television news, sports, entertainment, and everything, from out of State, a different ADI, such as Cincinnati; Charleston-Huntington, WV; Knoxville, TN; Nashville, TN; Evansville, IN; and on and on and on.

This bill does not adequately cover those areas because it says generally if you are brought in an ADI area that is covered by an out-of-State television station, you must accept that. There can be exceptions. But, living in Kentucky, I surely don't want to have to watch Atlanta television, or Atlanta news, or, for that matter, Cleveland, OH, news on my satellite dish. I know most Kentuckians don't want that.

Of all the issues that have come before the Senate, this has been the one on which I have received the most information. I received a paper put out

by the National Association of Broadcasters that criticized my amendment to allow all or at least require one of the local markets in Kentucky to carry it on the dish or on the satellite. It said it "destroys the network affiliation relationship." But that is hogwash. It does not destroy that. It just means that the people in certain areas don't want to watch New York television as the thing they get on their dish. If they are only going to go down to the first 60 major markets in this country, that is what we are going to have to do in many of the rural areas.

This loan guarantee program that we have will cover an awful lot of other areas. But South Dakota, North Dakota, Wyoming, Montana, and plenty of areas in this country do not have major markets and don't carry all four—ABC, NBC, CBS, and FOX—and will no doubt not have the coverage they might like to have in their area.

"Undermines localism" is another thing the National Association of Broadcasters has said about the amendment I just withdrew.

Am I going to watch a local station from Paducah and go down there and buy something that has been advertised on a Paducah station if it is carried on my dish? Of course not. I am going to go to my local store, or wherever it might be, and buy the exact same thing that is available in my local area. I can pick up a local station out of Cincinnati with rabbit ears. I don't need a dish for that.

It "creates two classes of satellite viewers"—no, it doesn't. We all pay almost the same amount for basic satellite television. My amendment did not change that.

"Flies in the face of both copyright and communication laws"—not being a lawyer, and having dealt only with the prior law we passed last year, I know full well it doesn't violate any of those provisions in that law we had on the floor of the Senate.

Last, but not least, it says, "it creates a huge regulatory disparity." No other multichannel video provider has nearly such an extensive "must carry" requirement. We don't want them to carry every station in Kentucky. We want them to carry one that has four of the major networks. That is what we want.

We will work it out later. I have talked with Senator BURNS, who is most expert on this, and I hope to work with Senator MCCAIN on Commerce to get this done. This is not the time nor the place to fight this fight. I will fight it another day at a later date.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, I think while we have looked as if there was inaction and chaos all afternoon—it felt like it at various moments—the truth is, we have done our work.

Senator BAUCUS has an amendment which I intend to accept. Senator HATCH as a second-degree amendment.

I will be supportive of both the second-degree amendment and first-degree amendment. We will accept those.

Senator JOHNSON and I have worked out differences. We will accept that amendment.

We will then be ready for a vote on final passage.

Senator BAUCUS may offer his amendment when he is ready. I have already offered the amendment for Senator HATCH. If Senator JOHNSON wants to offer a second-degree amendment to it, he can. If not, if someone will pass it to me, I will do it.

We are putting everybody on notice that we are coming to the happy hour. We should be able to finish our bill in about 15 minutes. People can start moving in this direction.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

AMENDMENT NO. 2900, AS MODIFIED

(Purpose: To make minor and technical changes.)

Mr. BAUCUS. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The clerk read as follows:

The Senator from Montana (Mr. BAUCUS) for himself, Mr. LEAHY, Mr. ROBB, Mr. STEVENS, Mr. WELLSTONE, Mr. KENNEDY, Mr. BURNS, and Mr. MURKOWSKI, proposes an amendment numbered 2900, as modified.

Mr. BAUCUS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 25, line 10, insert after "local television stations" the following: "and related signals (including high-speed Internet access and National Weather Service Warnings)."

On page 30, strike line 9 and insert the following: "means by which local television broadcast signals, and related signals (including high-speed Internet access and National Weather Service Warnings)."

On page 33, line 19, strike "areas," and insert "areas and the number of States (including noncontiguous States)."

On page 33, beginning in line 22, strike "estimated cost per household to be served." and insert "efficiency in providing service given the area to be served."

On page 33, between lines 23 and 24, insert the following:

(B) ADDITIONAL CONSIDERATIONS.—To the maximum extent practicable, the Board should give additional consideration to projects which also provide related signals (including high-speed Internet access and National Weather Service Warnings).

On page 33, line 24, strike "(B)" and insert "(C)".

Mr. BAUCUS. Mr. President, this is an amendment to which the chairman of committee has graciously stated he agreed. This is a modification of an earlier amendment I provided. This amendment essentially provides that related signals, including high-speed Internet access and National Weather Service warnings, be included in the criteria when the board decides which loans to guarantee in providing for local-into-local service.

One of the modifications, frankly, is as follows: Including noncontiguous States.

I chuckled a little bit because that is Alaska, which is wonderful. But it also is a technical matter that makes it more likely it is not necessarily constrained by otherwise constraining language.

The amendment basically says that, to the maximum extent practicable, the board should give additional consideration to projects which also provide related signals—again, including high-speed Internet access and National Weather Service warnings.

The whole point is, we have an opportunity to help provide broad bandwidth Internet service to rural America while we are now passing legislation which gives incentives to provide more local-into-local television coverage to rural America. I believe we should take advantage of that opportunity and give a little boost and a little preference to those applicants who will provide that additional capability.

I want to sort of chime in on the point the Senator from Texas was making about the floor looking as if we were not doing our work. There was a group of Montana high school students here about 2 or 3 hours ago. They asked me, Why aren't there more Senators on the floor and why are we not doing business? I explained to them, as the Senator from Texas essentially said, that a lot of work is not done directly in debate but there are negotiations and kind of behind-the-scenes work going on to work things out. I compliment the Senator for his work in helping us accomplish that objective.

Before I finish, I also want to pay particular compliments to not only the Senator from Texas but to my colleague from Montana, Senator BURNS. Senator BURNS has been very active in helping provide both local coverage and satellite coverage. I want to particularly note that; in addition, certainly managing a bill of this size, Senator JOHNSON as well as Senator LEAHY from Vermont.

There are a lot of people who worked on this. We are making progress. Sometimes it is a little slow. It is not very expeditious, but that is the nature of our democracy. I thank them.

Mr. GRAMM. Mr. President, I thank Senator BAUCUS for working with us on the amendment. We are supportive of the amendment and we accept it.

Mr. STEVENS. Mr. President, I am pleased the amendment I cosponsored was agreed to.

That amendment did three important things. First, it made clear that any plan put forward to provide local broadcast signals to rural areas takes into account service to Alaska and Hawaii. Under my amendment these noncontiguous States are elevated from afterthoughts to priority consideration.

We also altered another priority in this bill that could have inadvertently penalized the most rural States. Originally the bill mandated that the cost

per household of providing service be a top priority.

Such a provision sounds good on its face but the high cost of service to outlying areas is one reason why the incumbent satellite and cable providers are not serving our areas. My amendment doesn't remove cost as a factor, but it ensures that rural states aren't penalized when proposals are made.

Finally, this amendment includes language that would allow high-speed internet access to also be supported by the loan guarantees.

I thank Senators BURNS, BAUCUS and LEAHY for their help.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2900), as modified, was agreed to.

AMENDMENT NO. 2902, AS MODIFIED

Mr. GRAMM. Mr. President, I send a modification to the amendment I previously sent forward on behalf of Senator HATCH.

The PRESIDING OFFICER. The amendment will be so modified.

The amendment (No. 2902), as modified, is as follows:

On page 49, strike lines 1 through 13 and insert the following:

SEC. 8. DEFINITIONS.

On page 50, line 23, strike "10." and insert "9."

On page 27, line 21, strike "10" and insert in lieu thereof "9".

Mr. GRAMM. I don't think there is any further debate on this amendment. I believe it is acceptable to both sides.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified.

The amendment (No. 2902), as modified, was agreed to.

Mr. GRAMM. We just received a copy of the amendment Senator JOHNSON and I worked out. While he is reviewing it, let me make my concluding remarks.

We had a very difficult mandate, to take a bill from last year and make it possible for people living in rural America to get their local television station so they can receive local news, the local weather, the local football game, all of which are critical to life in this great country that we know as the United States of America.

The problem from last year is that, with the confluence of interests that would be affected, they put together a bill that was 100 percent loan guarantee, that did not have an effective way of protecting the taxpayer. Therefore, the scoring by the Congressional Budget Office was a potential default rate of about 45 percent.

On a bipartisan basis, we have now put together an alternative. We have a loan board made up of the Chairman of the Federal Reserve Board, the Secretary of the Treasury, and the Secretary of Agriculture, or their Senate-confirmed designees. We guarantee only 80 percent of the loan. We have an expanded ability to go behind shell corporations to get to real assets.

We have put together a bill aimed at protecting the taxpayer. It is a risky business trying to come up with the technology and investing \$1 billion to get local television stations to rural America. A lot of things can go wrong. This is a dangerous business we have undertaken.

Given that the Senate and the House of Representatives, by overwhelming numbers, decided this was something that needed to be done, we committed in the Banking Committee to try to do right. We said that the Committee would report a bill by the end of this month. In fact, we passed a bill unanimously in our Committee a month ago. I believe we have done as good a job as possible given the mandate we had and given the interest of the people who are both on the Committee and serve in the Senate.

I am proud of this bill, and now we have to go to conference. They have divided jurisdiction in the House, and it will be a difficult conference.

My goal is to stay true to two principles: No. 1, we want to enhance the chance that people who live in rural America, especially in isolated areas, can get their local television signal. Second, we want to be good stewards of the taxpayers' money. We want to guarantee to the best of our ability not only that the loans will be made but that they will be paid back. It does no good to make bad loans, because bad loans don't produce local TV signals. Bad loans simply cost the taxpayer hundreds of millions of dollars and do no good.

I thank Senator JOHNSON who has been a leader on this. I thank CONRAD BURNS. More than anybody else, CONRAD BURNS is responsible for this bill passing the Senate today. He had the idea, he put together a proposal, and he worked with Members to put together a better proposal. He has been the constant driving force for this to happen.

When ABC Saturday football comes on with the local football team, I hope people will think about CONRAD BURNS and the leadership he provided in making it possible for them to view these shows.

We will dispense with this amendment by a voice vote. Anyone who wants to make a last-minute statement on this bill, please come to the floor. We are very close to a vote on final passage.

I yield the floor.

The PRESIDING OFFICER. The Democratic leader.

Mr. DASCHLE. First, I compliment my colleague, Senator JOHNSON, for the extraordinary efforts he has made in reaching this compromise. I compliment, as well, the Republican manager, Senator GRAMM, for the work that has gone into the agreement that we now have reached.

This is an important piece of legislation. I think we are going to see a very strong vote. It is, in large measure, due to the contributions and leadership of Senator JOHNSON and Senator GRAMM. I

hope we can dispose of both of these matters shortly.

It has been a long time coming. But it was worth the wait.

I want to thank my colleagues—especially Senator JOHNSON—for making essential improvements. Because of their patience and persistence, we are now—finally—on the verge of passing a bill that will give rural Americans the same access to affordable local TV programming as everyone else in our nation.

Senator JOHNSON's amendment is the heart of this bill.

It will allow banks associated with rural cooperatives to lend coops enough money to build their own satellite facilities.

The reason this is so critical is because commercial satellite broadcasters have made it absolutely clear: They have no interest in serving rural markets. They don't think it's worth their time or money to build satellite TV facilities for rural markets.

The same is true of many commercial banks.

If the only choice for rural communities was to borrow from commercial banks to build satellite facilities, the communities—very likely—would end up paying high interest rates.

Those high interest rates would drive up the costs of building the satellite facilities.

That, in turn, would drive up the price rural Americans would be forced to pay for local TV programming.

Senator JOHNSON's amendment, though, means that banks associated with rural cooperatives can also make loans to build satellite facilities. The coops will charge lower interest rates than commercial banks.

This is a huge victory for people in small towns and rural communities in South Dakota, and all across America.

The reason we fought so hard to get this bill right is because this is not just about entertainment. This is about public safety.

It is potentially about life and death.

Local stations provide local news and public affairs programming. They also provide weather updates.

A year and a half ago, a tornado destroyed much of the town of Spencer, South Dakota. As devastating as that tornado was, it could have been far worse. It could have claimed many lives.

One reason it did not may very well have been because Spencer is within the Sioux Falls local broadcast area.

People could turn on their TVs and see that the tornado was coming, and take cover.

But most South Dakota communities are outside both the Sioux Falls and the Rapid City broadcast areas.

Without Senator JOHNSON's amendment, it is doubtful that they would be able to receive local weather or news reports.

Rural coops have a 60-year history of responsibly promoting economic development throughout rural America. By

adding them to the pool of qualified lenders, we have greatly improved this bill.

I commend Senator JOHNSON again for his leadership, and I urge my colleagues to vote for his amendment and this bill.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. JOHNSON. Mr. President, we have had a discussion going on throughout the course of this afternoon relative to the satellite television legislation and an amendment that is necessary on this bill.

I commend Senator GRAMM, chairman of the Senate Banking Committee, and his staff, Senator THOMAS, Senator GRAMS, Senator BURNS, Senator SARBANES and his staff, and others who have worked diligently on this. We have spent a lot of time on it.

I believe we are almost at the moment where we can offer a compromise amendment and resolve this once and for all. We just received a copy of the amendment. There are one or two points that are being checked with counsel. Within literally minutes, we should be able to confirm the language is exactly what we think it is.

I am appreciative of the bipartisan effort that went into making this legislation a reality. The legislation last fall was a good bill. It permitted the broadcast of local signals to local areas, but we did need the guarantee loan provisions to get into the smaller television markets.

It has just been confirmed to me the language is as we thought.

Again, I applaud Senator GRAMM and others for their work in that regard.

AMENDMENT NO. 2903

(Purpose: To address certain lending practices)

Mr. JOHNSON. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from South Dakota [Mr. JOHNSON], for himself, Mr. GRAMM, Mr. THOMAS, Mr. GRAMS, and Mr. BURNS, proposes an amendment numbered 2903.

Mr. JOHNSON. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 30, strike line 22 and all that follows through page 31, line 3, and insert the following:

“(D)(i) the loan (including Other Debt, as defined in subsection (f)(2)(B))—

“(I) is provided by any entity engaged in the business of commercial lending—

“(aa) if the loan is made in accordance with loan-to-one-borrower and affiliate transaction restrictions to which the entity is subject under applicable law; or

“(bb) if subclause (aa) does not apply, the loan is made only to a borrower that is not an affiliate of the entity and only if the amount of the loan and all outstanding loans by that entity to that borrower and any of its affiliates does not exceed 10 percent of the net equity of the entity; or

“(II) is provided by a nonprofit corporation, including the National Rural Utilities Cooperative Finance Corporation, engaged primarily in commercial lending, if the Board determines that such nonprofit corporation has one or more issues of outstanding long term debt that is rated within the highest 3 rating categories of a nationally recognized statistical rating organization, and, if the Board determines that the making of the loan by such nonprofit corporation will cause a decline in the debt rating mentioned above, the Board at its discretion may disapprove the loan guarantee on this basis.

“(i)(I) no loan (including Other Debt as defined in subsection (f)(2)(B)) may be made for purposes of this Act by a government entity or affiliate thereof, or by the Federal Agricultural Mortgage Corporation, or any institution supervised by the Office of Federal Housing Enterprise Oversight, the Federal Housing Finance Board, or any affiliate of such entities;

“(II) any loan (including Other Debt as defined in subsection (f)(2)(B)) must have terms, in the judgment of the Board, that are consistent in material respects with the terms of similar obligations in the private capital market;

“(III) for purposes of subclause (i)(I)(bb), the term ‘net equity’ means the value of the total assets of the entity, less the total liabilities of the entity, as recorded under generally accepted accounting principles for the fiscal quarter ended immediately prior to the date on which the subject loan is approved.”.

Mr. JOHNSON. Mr. President, I offer this amendment on behalf of myself, Senator THOMAS, Senator BURNS, Senator GRAMS, and Senator GRAMM. We have worked throughout the afternoon to expand the universal qualified lenders without sacrificing taxpayer protections in the bill. Thanks to the good faith on all sides, we have now allowed cooperative lending entities, such as the CFC and CoBank, to participate in the program while ensuring maximum protection of the taxpayer dollars.

I ask for the yeas and nays on this amendment.

Mr. GRAMM. If the Senator will yield, I know Senator DOMENICI wanted to vote on final passage and has to leave to attend a meeting. I do not think anybody opposes the amendment on which we have worked out a consensus. If the Senator wants a rollcall, obviously, we will have one.

Mr. JOHNSON. I appreciate there is a timeliness issue here, but I do think it is important to have a rollcall on this amendment. This is a very significant matter. This is going to the conference committee. I am hopeful we can expedite that matter.

Mr. GRAMM. Mr. President, I ask unanimous consent that this amendment be voted on immediately following a short statement by Senator BURNS.

Mr. BURNS. Mr. President, I can make my statement following the vote.

Mr. GRAMM. We can do it quickly. I ask unanimous consent that after the amendment is adopted, we proceed to third reading and that there be an immediate vote on passage of our bill, to be followed by the cloture vote on the gas tax legislation.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Montana.

Mr. BURNS. Mr. President, I have a couple thank-yous, because this has been an issue that has been worked out mostly because of the cooperation of a lot of folks.

Last year, as my colleagues know, we ran into that brick wall called Texas GRAMM. Nonetheless, he has just been a champion of getting this piece of legislation to the floor and getting it worked out. We have a better bill. Under his guidance, under his recommendations, I think we have a better bill. We have a better bill for the taxpayers. We have a better bill for the people who want to receive their local-into-local via satellite.

I also thank Senator JOHNSON and the ranking member of the Banking Committee, Senator PAUL SARBANES, and my colleague from Montana, who made it stronger because they understand the infrastructure is going to be broadband services in our rural areas. This is a giant step forward.

Also, I thank the leader, Senator LOTT, who put this on the calendar and said it had to be one of the important things we pass this year in this Congress. I appreciate his leadership. I yield the floor.

The PRESIDING OFFICER. Does the Senator from South Dakota wish to be recognized?

Mr. JOHNSON. Mr. President, I reiterate my request for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2903. The clerk will call the roll.

Mr. REID. I announce that the Senator from California (Mrs. BOXER) is necessarily absent.

The PRESIDING OFFICER (Mr. ALLARD). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 49 Leg.]

YEAS—99

Abraham	Domenici	Kerry
Akaka	Dorgan	Kohl
Allard	Durbin	Kyl
Ashcroft	Edwards	Landrieu
Baucus	Enzi	Lautenberg
Bayh	Feingold	Leahy
Bennett	Feinstein	Levin
Biden	Fitzgerald	Lieberman
Bingaman	Frist	Lincoln
Bond	Gorton	Lott
Breaux	Graham	Lugar
Brownback	Gramm	Mack
Bryan	Grams	McCain
Bunning	Grassley	McConnell
Burns	Gregg	Mikulski
Byrd	Hagel	Moynihan
Campbell	Harkin	Murkowski
Chafee, L.	Hatch	Murray
Cleland	Helms	Nickles
Cochran	Hollings	Reed
Collins	Hutchinson	Reid
Conrad	Hutchison	Robb
Coverdell	Inhofe	Roberts
Craig	Inouye	Rockefeller
Crapo	Jeffords	Roth
Daschle	Johnson	Santorum
DeWine	Kennedy	Sarbanes
Dodd	Kerrey	Schumer

Sessions	Specter	Torricelli
Shelby	Stevens	Voinovich
Smith (NH)	Thomas	Warner
Smith (OR)	Thompson	Wellstone
Snowe	Thurmond	Wyden

NOT VOTING—1

Boxer

The amendment (No. 2903) was agreed to.

Mr. STEVENS. Mr. President, I ask unanimous consent that the next vote in the series be limited to 10 minutes.

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

Mr. HATCH. Mr. President, I am pleased that the Senate has today passed a bill that I tried to have passed along with the comprehensive satellite reforms enacted a few months ago at the end of the last congressional session. The reforms we authored are already bearing fruit. Satellite carriers are beginning to serve their customers local television, which they had not done before. As part of our comprehensive reform we developed a loan guarantee program to help ensure that smaller markets would not be left behind in enjoying the benefits of our reforms.

The chairman of the Banking Committee requested further time to review and improve if possible the program, and we were able to work together to meet his concerns. The bill the Senate adopts today is similar in most respects to the legislation we developed last year, and I am pleased that we are finally able to pass this important legislation.

I hope the House will act expeditiously on similar legislation, or take up the Senate legislation as soon as possible. I have long championed the provision of local television signals by satellite carriers for many reasons. First, it allows for more direct competition against cable customers alike, in the form of lower prices and better services, as well as expanded choice. Second, I believe that local television helps unite local communities by providing programming relevant to that community. It is important that Utahns know what is happening in their communities, and be able to participate in civic affairs as informed citizens. They need to know what the local weather forecast in New York. And they enjoy watching the local sports teams, or other Utah-related programming. Third, I think local television service is more consistent with the current market relationships than beaming the programming tailored to other communities into our local communities.

For these reasons, I pushed reforms to allow satellite companies to carry local programming for a number of Congresses, culminating in our passage of the Satellite Home Viewer Improvement Act of 1999 last year. The one piece of unfinished business from that package of reforms was the loan guarantee program we adopt today. Under this legislation, government-backed loans will be made available to ensure

that those smaller markets, the markets that most need local television delivery by satellite or other means, are not left behind. The satellite carriers and cable companies understandably serve the larger markets first, where costs are lower and revenues potentially greater. Hopefully with the adoption and eventual enactment of this legislation today, we will go a long way to help all our local communities enjoy together the programming most relevant to them, their local television signals.

Mr. KOHL. Mr. President, I rise in support of S. 2097, the Launching Our Communities Access to Local Television Act of 2000. Enacting this legislation will complete our work on the Satellite Home Viewer Improvements Act that we voted into law last fall. Simply put, the LOCAL TV bill is the last piece of the puzzle that will encourage competition to cable in all markets, not just the top 20 or 30 largest urban areas.

At the SHVIA Conference just this past year, we tried to tackle how to encourage "local-into-local" service into all areas, not just the biggest and most lucrative TV markets. But we only had mixed success. So it made sense to postpone the debate until this year. At the time, I was not entirely comfortable with the precursor of this measure. But I did then and I do now strongly support its goals. Today's package develops an approach that combines incentives and loan guarantees, which will pave the way for "local-into-local" service to reach into our rural areas. I am encouraged by the revisions that addressed the concerns of Chairman GRAMM and others.

For example, a loan guarantee must be approved by a board comprised of the Treasury Secretary, Federal Reserve Chairman, and the Agriculture Secretary. Such a board is unlikely to sign off on an overly risky proposition. Their review will help ensure fiscal discipline and prevent the taxpayer from being left on the hook for a bad deal. Furthermore, the government will not underwrite the entire amount of the loan. Holding lenders to 20 percent of the amount financed will make them scrutinize a loan application long and hard before they extend credit under this program.

Moreover, we still allow market forces to make this program work. The LOCAL TV bill does not favor any particular technology. It is technologically neutral. Therefore, whether it is satellite, cable or an emerging technology, anyone with the entrepreneurial spirit to take on the task of delivering local television signals to remote areas is eligible for the program. By creating this incentive for all to participate, we permit the market to determine who will win a loan guarantee under this law.

Hopefully, and most importantly, this bill will help local-into-local get rolled out more ubiquitously to rural markets in Wisconsin around Green

Bay, Madison, Eau Claire, and Wausau and to other areas across the country. This is a good thing for consumers and, very simply, that's why I support passage of this measure.

I yield the floor.

Mr. ROBB. Mr. President, I rise today first of all to commend those members on both sides of the aisle who have worked so hard to bring this important loan guarantee bill to the floor. It is the final piece—and in my view, the key piece—of a lengthy effort to enact comprehensive reform of our nation's satellite television laws.

Last year, we passed a bill that I was proud to cosponsor, the Satellite Home Viewer Improvement Act of 1999. It restored service to thousands of Virginia households who had been cut off from their network signals, and more importantly, allowed satellite television companies to finally provide local network services to consumers. My only disappointment about the Act was that a last-minute deal removed a provision which would have made it easier for viewers living outside of major metropolitan areas to get satellite broadcasts of their local television stations.

As a result, the only market in Virginia that can receive local-into-local service is the metropolitan D.C. area, leaving over 94% of satellite households in my state without this crucial service. The satellite industry is not required to start offering local service to all their customers, and they've made it clear that they don't intend to do so, leaving many Americans without this important service.

I believe that every household in Virginia, and, indeed, across America deserves the same quality local television service. This isn't just a matter of helping rural areas get the latest episodes of "Who Wants to Be a Millionaire?" or "NYPD Blue"—it's about ensuring that all consumers have access to vital local public safety information, school closings, weather and news programming that we've come to rely on.

There's no question that the market is out there for these services—I've been inundated with thousands of phone calls, letters and post cards from Virginians who want to subscribe to them. Unfortunately, many companies and cooperatives who are interested in providing new local television services have held back because the financing can be a bit tricky.

The bill before us today will help to address this problem. By providing loan guarantees that support new satellite services that serve rural areas of the country, we can help facilitate the transmission of local television signals to areas of the country that are not able to receive this service. Earlier today, I joined Senators JOHNSON and THOMAS in introducing an amendment that would significantly improve the loan guarantee program by expanding it to include those entities that are most adept at providing rural utilities. I'm very pleased that a modified

version of this amendment has been accepted, and believe that it will go a long way toward bringing affordable local television signals to unserved areas in Virginia.

Mr. President, I'd also like to talk for a moment about a second amendment which I've cosponsored, along with Senators BAUCUS and LEAHY, to address the issue of the emerging "digital divide" between urban and rural America. While many people generally think of Internet access as something that you get over telephone lines, consumers are increasingly able to access the Internet at much faster speeds through the same systems used to transmit cable and satellite television.

Our amendment simply clarifies that this new loan guarantee program should look at ways that the same systems which are deployed in rural areas to deliver local television services can also be used to deliver new broadband communications services. At a time when television and the Internet are heading in a direction where they may soon converge, we ought to have the foresight to look at ways that new communications systems can support multiple services and technologies, particularly when the government is helping to finance the deployment of these systems. This amendment has also been accepted.

Again, Mr. President, I strongly support the underlying bill, and commend those on both sides of the aisle who have helped move it to the Senate floor. I look forward to working with my colleagues to ensure that we take steps to further enhance the range of choices consumers have in the marketplace.

ADMINISTRATIVE PROCEDURE ACT

Mr. ENZI. Mr. President, I would like to engage in a colloquy with the chairman of the Senate Banking Committee. Is it the case that the program established by S. 2097, the "Launching Our Communities' Access to Local Television Act of 2000," would be subject to the Administrative Procedure Act? For example, would the Board established by this Act be required to make its proposed rules and regulations available for public comment and other relevant procedures under the Administrative Procedure Act?

Mr. GRAMM. The Senator is correct. Public involvement must be an essential part of this program if it is to succeed. The Board established by S. 2097 falls within the definition of an "agency" under section 552 of Title 5 of the United States Code (Administrative Procedure Act) and therefore will have its rulemaking subject to the Administrative Procedure Act. All parties will have an opportunity to be heard. This openness to public comment will help ensure that the interests of those most likely to benefit from the loan guarantee program—television subscribers in unserved areas—will be represented. In addition, an open rulemaking should help ensure that no applicant for a loan guarantee will receive consideration

apart from the merits of the proposed project.

Mr. ENZI. I thank the chairman for this clarification.

APPLICATION OF COPYRIGHT AND COMMUNICATIONS LAW TO LOAN GUARANTEE APPLICANTS

Mr. HATCH. Mr. President, it would be appropriate at this point to explain our joint view regarding the application of copyright and communications law to those who provide local television signals with the assistance provided under this Act. We all agree that the rights, obligations, and limitations that apply to applicants under this loan guarantee program ought to be the same as those providing similar services without the assistance of the loan guarantee program. Congress passed comprehensive rules in this area just a few months ago at the end of the last session, and it is our joint intention to clarify that those rules apply to applicants under this program just as they do to others who take advantage of the reforms passed last year. To underscore this position we have offered an amendment, and that amendment has been accepted, that will clarify some confusion resulting from the manner in which section 8 of the underlying bill was drafted by dropping section 8 from the bill altogether. It is the general rule that otherwise applicable law will apply absent a clear statement to the contrary. Since the relevant sections of Title 17 and Title 47 would apply, the attempt to list the provisions that apply in this context is superfluous, and to the extent that the drafting in current section 8 could be read to be inconsistent with current law, it merely causes needless confusion. It seems best, therefore, to simply drop the provision and make a clear statement that currently applicable copyright and communications law will apply to applicants under the loan guarantee program just as it does to those providing similar services without loan guarantee assistance. Do my colleagues agree?

Mr. STEVENS. I do agree. It was never the intention of those who worked on the broad satellite television reforms in the last session to establish any different copyright or communications rules for loan guarantee applicants, but rather that they be governed by the same rules as all others in the market. If special rules were established for loan guarantee applicants, the loan guarantee program would have collateral effects on the market for subscription television services by causing a confusing disparity in the rules applicable to competitors, and possibly skew competition in unforeseen or inappropriate ways. I agree that it is important to clarify the application of law in this way at that time. I would ask the managers of the bill if they agree with us and will commit to work through conference to the end of ensuring that the rules we adopted last year will continue to apply to applicants and non-applicants alike?

Mr. GRAMM. I agree with my colleagues that we should clarify that current copyright and communications law will apply to applicants and non-applicants alike under our loan guarantee legislation. And I will continue to work, as I have heretofore, to ensure that our loan guarantee bill does not change the application of the rules passed last year with regard to applicants or other non-applicant providers of television services.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. BENNETT. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The bill having been read the third time, the question is, Shall the bill pass?

The clerk will call the roll.

The legislative clerk called the roll.

Mr. MACK (when his name was called). Present.

Mr. NICKLES. I announce that the Senator from New Mexico (Mr. DOMENICI) is necessarily absent.

Mr. REID. I announce that the Senator from California (Mrs. BOXER) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 0, as follows:

[Rollcall Vote No. 50 Leg.]

YEAS—97

Abraham	Feinstein	McCain
Akaka	Fitzgerald	McConnell
Allard	Frist	Mikulski
Ashcroft	Gorton	Moynihan
Baucus	Graham	Murkowski
Bayh	Gramm	Murray
Bennett	Grams	Nickles
Biden	Grassley	Reed
Bingaman	Gregg	Reid
Bond	Hagel	Robb
Breaux	Harkin	Roberts
Brownback	Hatch	Rockefeller
Bryan	Helms	Roth
Bunning	Hollings	Santorum
Burns	Hutchinson	Sarbanes
Byrd	Hutchison	Schumer
Campbell	Inhofe	Sessions
Chafee, L.	Inouye	Shelby
Cleland	Jeffords	Smith (NH)
Cochran	Johnson	Smith (OR)
Collins	Kennedy	Snowe
Conrad	Kerrey	Specter
Coverdell	Kerry	Stevens
Craig	Kohl	Thomas
Crapo	Kyl	Thompson
Daschle	Landrieu	Thurmond
DeWine	Lautenberg	Torricelli
Dodd	Leahy	Voinovich
Dorgan	Levin	Warner
Durbin	Lieberman	Wellstone
Edwards	Lincoln	Wyden
Enzi	Lott	
Feingold	Lugar	

ANSWERED "PRESENT"—1

Mack

NOT VOTING—2

Boxer

Domenici

The bill (S. 2097), as amended, was passed.

Mr. NICKLES. Mr. President, in regard to the legislation just passed, I

compliment the chairman of the committee, Senator GRAMM, and also Senator CONRAD BURNS, for their leadership. They worked on this legislation for a long time. I compliment them on passing a good bill and passing it overwhelmingly.

GAS TAX REPEAL ACT—MOTION TO PROCEED

The Senate resumed consideration of the motion.

Mr. LOTT. Mr. President, today's fuel prices are a daily reminder that America is now at the mercy of foreign oil producing nations. However, before you blame your neighbor's SUV, your local fuel distributors, the oil companies, the automakers, or any of the other usual scapegoats, consider this fact—America is one of the leading energy producing countries in the world. This country has the technology, alternative resources and enough oil to be much more self-sufficient. America does not have to revert back to the practices of the 1970s.

This country is faced with a very serious problem. Our nation's farmers and truckers are being hit the hardest—simply because of this Administration's lack of energy policy. In fact, Secretary Richardson recently admitted that this Administration was caught napping when energy prices began to rise. As a result, U.S. crude oil production is down 17 percent since 1993, and consumption is up 14%. America now imports 56% of the oil consumed—compared to 36% imported at the time of the 1973 Arab oil embargo. At this rate the DOE predicts America will be at least 65% dependent on foreign oil by 2020.

This Administration has close ties to radical environmentalists—environmentalists whose strong rhetoric and drastic actions appear more like a new-age religion than a clarion call for good stewardship. It appears that the White House has spent eight years trying to slowly kill our oil, coal, natural gas and even our hydroelectric industries.

The Administration began this process in 1993 with an effort to impose a \$73 billion five-year energy tax to force the American people away from the use of automobiles and American industries away from their primary energy sources. The Clinton/Gore EPA is still attempting to shut down coal-fired electric generating plants in the South and Midwest. Meanwhile, the Administration is providing no offsets to this. In fact, they have done nothing to increase the availability of domestic natural gas, which is the clean alternative for coal in electric plants. Federal land out West is expected to contain as much as 137 trillion cubic feet of natural gas, but the Administration refuses to allow drilling. Similarly, the Administration will not allow exploration on federal land in Alaska, which is estimated to contain 16 billion barrels of domestic crude oil.

None of these facts should be surprising. Vice President GORE has vowed to prohibit future exploration for oil or natural gas on our outer-continental-shelf. He has bluntly stated that the internal combustion engine—the very mechanism which drove America's industrial development and led to the creation of our middle class—is a threat. Maybe that's why he embraces the Kyoto Protocol which would impose staggering consumption restrictions on our economy, while exempting other countries. This treaty is so bad that my colleagues from GORE's own party joined the Senate leadership in voting against it 95 to zero. AL GORE may not depend on the internal combustion engine for his livelihood, but a lot of folks beyond the Washington beltway do.

There has to be a solution to this problem. Even without tapping all of America's resources, this country still produces almost half of her fuel needs—far more than most industrial countries. In the long run, a national energy policy that looks at all realistic alternative sources of energy must be developed. Congress must also provide incentives for independent producers to keep their wells pumping. Tax credits for marginal wells will restore our link to existing oil resources, including many in Mississippi. These solutions will be needed someday soon.

In the short term, Congress can reduce or temporarily suspend federal fuel taxes, which, along with state excise taxes, account for an average of 40 cents per gallon of gasoline. This would include the "Gore Fuel Tax" ramrodded by the President back in 1993 in a decision so close that AL GORE headed to Capitol Hill to cast the tie-breaking vote. Yes, the Vice-President is the very reason the 4.3 cent gas tax was implemented. Now, as the Administration continues to do nothing to remedy this crisis, the Congress can make a difference. Repealing the Gore Gas Tax immediately, and providing a complete federal fuels tax holiday if prices reach a nationwide average of \$2.00, will provide real relief for American consumers at the pump. This can be done for the remainder of this year without touching one cent of the Highway Trust Fund, Social Security, or Medicare. This is a real solution to a very real problem.

This reflects the leadership of a number of our colleagues on this important issue. One provision to suspend the diesel fuel tax has been championed by the senior Senator from Colorado, BEN NIGHTHORSE CAMPBELL. A trucker himself, Senator CAMPBELL has led the way on ways to assist truckers and their families who are suffering from the rising price of diesel fuel. He has met with the truckers who have traveled great distances to Washington to make their voices heard. Senator CAMPBELL's unique insights and personal experiences have been helpful to the leadership in crafting this comprehensive gas tax bill.

This is not the 1970s. America has better technology, more efficient and cleaner automobiles as well as more energy options. The question is: how long will we hold these options and be held hostage to nations abroad or radical environmentalists at home? America can solve her energy problems but Congress must act in the interests of our entire nation, rather than a select few.

Mr. DASCHLE. Mr. President, I want to explain the procedural situation we are in with regard to the motion to proceed on the so-called gas tax repeal. I could not be more strongly in opposition to the repeal of the gas tax because of its potential to devastate our highway and transit programs.

Nevertheless, I intend to support the motion to proceed this afternoon and I urge my colleagues on this side to do so for a couple of reasons.

First of all, it seems to me this ought to be a debate that we have early next week. I think there are a lot of very important questions that ought to be raised about the advisability of the repeal of the gas tax. I think Governors and those from industries that are involved in the construction of our infrastructure this year ought to have the opportunity to be heard.

I will read for my colleagues some of the comments made by my colleagues on the Republican side of the aisle with regard to the gas tax. I think they ought to be heard, as well.

Let me quote from Speaker DENNIS HASTERT, who on March 26, said:

But the problem is that this doesn't solve the problem. . .that's just a little tick in what the cost of gas is. We need to solve the real problems out there.

So said the Speaker of the House of Representatives.

The House Transportation Committee chairman, BUD SHUSTER said:

Repeal of the fuel tax is the wrong way to go. [It's] counterproductive because reducing a portion of the price without reducing the underlying cost of crude oil makes it easier for OPEC countries to keep prices high.

So says the chairman, the Republican chairman of the House Transportation Committee.

Here is what the House majority leader, DICK ARMEY said:

Let's not get bogged down on only one dimension of the problem—a short-term dimension that offers scant relief. Even if we repealed, that it would give little relief to consumers.

Here is what my colleague, the very respected and distinguished chairman of the Armed Services Committee, JOHN WARNER said:

Repealing the 4.3 cents will have little or no impact on the price of fuel. It will, however, severely limit all of our States' abilities to make needed surface transportation improvements.

Here is what our colleague, Senator GEORGE VOINOVICH, said on March 24:

Even with this repeal, there is no guarantee it is going to bring down the cost at the pump. It defies common sense.

Here is what the GOP conference chair, J.C. WATTS, said in the House of Representatives on March 19: