and are economically well-off in comparison to many of their fellow citizens. Their financial situation allowed them to afford some AIDS drugs, but the cost of basic treatment for one person takes thirty percent of their monthly income. They have been forced to choose which one of them will take these life-saving medications. That is a decision that no couple should have to make.

The rate at which AIDS has spread in developing countries should alarm all nations and peoples. The world is too small for us to think that a virus which has infected 34 million people and killed 14 million is under control and will not continue to infect our own country.

This global epidemic has already taken more lives than all but one of the major conflicts of this century. Only World War II surpasses AIDS in terms of human devastation in this century. We cannot stand by and let this level of suffering continue.

We can and must do more as a nation to fight this growing global epidemic. It is estimated that by the year 2005 more than 100 million people worldwide will have become infected with HIV—100 million people. The magnitude of the emergency is immense. What will we tell our children and our grandchildren about how we faced the largest human tragedy of our time? I hope that we can tell them that we reached across the aisle and then across the ocean to help those caught in this relentless epidemic. This is not about Democrats or Republicans.

This is about America, and what we stand for as a nation and as a world leader. I urge my colleagues to do all we can to save lives and ease this tragic suffering.

MICROSOFT AND THE AMICUS BRIEF

Mr. GORTON. Mr. President, this is an appropriate time to bring my colleagues up to speed on the continuing saga that is the Microsoft anti-trust trial. Since I last came to the floor to discuss this issue, the industry, of which Microsoft is a part, has once again changed dramatically. For instance, American Online recently triggered the largest corporate merger in history with the acquisition of Time-Warner. This media giant is now poised to compete vigorously in every aspect of the Internet, from the wires that connect you, to the content you watch. To meet this challenge, Microsoft and a legion of its competitors must be allowed to compete vigorously in the ever-changing landscape of the information technology industry.

My fellow Senators will soon receive a ''dear colleague'' letter endorsing an amicus brief filed on behalf of Microsoft by the Association for Competitive Technology (ACT). ACT is a nonprofit association representing more than 9,000 companies in the information technology industry. ACT's membership is made up mostly of small and medium sized businesses but includes household names such as CompUSA, Excite at Home, Intel, Microsoft and Symantec. These members come from all walks of the industry, unified by the cause of protecting competition and innovation in the industry.

This brief was prepared by a bi-partisan group of legal heavyweights including former White House Counsels Lloyd Cutler and C. Boyden Gray as well as former Attorneys General Griffin Bell and Nicholas Katzenbach. It eloquently reinforces many of the points that I have made on the Senate floor for over a year now. In the end, I think you will agree that this document reveals the glaring weaknesses in the DoJ's case against Microsoft.

The amicus brief reinforces the point that current antitrust laws expressly allow, and even encourage, the kind of competitive activity that the government seeks to stop; the kind of competition that continues to benefit not only consumers, but the hundreds of thousands of high-tech workers and entrepreneurs in the software and hardware industries as well. It also sounds the familiar refrain that the government needs to take a highly pragmatic and cautious approach to antitrust enforcement in this dynamic industry.

Unfortunately, Judge Jackson found last year that Microsoft's Windows holds a lawfully acquired monopoly of the market for ''operating systems'' for Intel-compatible personal computers. Although Microsoft may later challenge this finding, the brief assumes for purposes of argument that the finding is correct.

The plaintiffs (the federal government and several states) charge that Microsoft, in adding the Internet Explorer browser to Windows and marketing the package, violated antitrust laws. The amicus brief—and the Supreme Court cases on which it relies—demonstrates that the purpose of the antitrust laws is to protect consumers and competition—not competitors—and that Microsoft, far from violating the antitrust laws, competed vigorously to the immense benefit of consumers.

Vigorous competition, which antitrust laws are designed to protect, produces innovation, better products, more efficient distribution, and lower prices. All of these results of competition are to the benefit of consumers. The antitrust laws do not require competing firms to be nice to one another, or protect firms against their more powerful rivals. It is not wrong for any company to want to take business away from its rivals.

The antitrust laws encourage a firm that holds a lawfully acquired monopoly to compete hard to keep that monopoly. They also encourage such a firm to enter other fields where, by competing with better and cheaper products, it can benefit consumers.

Judge Jackson found that the widespread use of the Windows operating system has made it is a platform for a vast range of computer applications that consumers now enjoy.

Judge Jackson also found that when Microsoft added a superior Internet browser (Internet Explorer) and offered it to consumers at no extra charge, these actions gave consumers better access to the Internet and spurred its rival Netscape to improve the quality of its ''Navigator'' browser and to distribute it at no charge.

Microsoft did not drive Netscape's Navigator out of the browser market. On the contrary, even Judge Jackson found that Netscape's ''installed base'' has more than doubled since 1995 and will continue to grow in the future. Browser competition remains vigorous.

Microsoft did successfully break into the browser market and did obtain a share of that market for itself. The single most important reason, as even Judge Jackson found, is that Microsoft rival AOL itself chose and re-chose Internet Explorer over Navigator, even though AOL now owns Netscape. AOL made that choice because Microsoft offered a better product, better service, and better marketing support than did Netscape.

Microsoft's agreements with PC manufacturers and Internet access providers to distribute Internet Explorer were lawful agreements designed to help Microsoft break into a browser market in which Netscape was the overwhelmingly dominant firm. It was good for competition and consumers, for Microsoft to introduce competition into that market.

The plaintiff's theory is essentially that Microsoft, once it had a lawful monopoly in the operating systems market, should not have aggressively entered the browser market, because Netscape's dominance of that market might have led to more competition in operating systems. That theory is bad law. Again, the law protects consumers, not competitors. Consumers benefit when any firm, including one holding a lawful monopoly, competes aggressively to challenge another firm's incipient monopoly in a related field.

This competition helped usher in the most important change occurring on earth today. The power of information has been taken from a few large centralized institutions and put directly into the hands of people in every town and village across our globe via the Internet.

Not only is the number of users increasing exponentially, but the amount of information available to them is also growing at an unprecedented rate. The International Data Corporation estimated the number of web pages on the World Wide Web at 829 million at the end of 1998, and projects that the number will be 7.7 billion by 2002.

The explosive growth of the Internet will eventually have a fundamental impact on every aspect of American life, and will introduce a vastly different landscape in high-technology than exists today. Users will not necessarily

use stationary personal computers to access information, but instead rely on Web phones, palmtop computers and similar technology that is developing at an exponential rate. Microsoft must be allowed to compete in order to survive this transition.

Although Microsoft is a large and powerful company, it faces aggressive present and future competition in every field it enters, and if it wants to maintain its present position it must compete vigorously on every front, with innovations, improved quality and lower prices. That is exactly what antitrust policy seeks to promote.

For a court to enter into this vitally important and rapidly changing field and seek to dictate what products shall be made and sold by which firms would be a tragic mistake. For example, if a few years ago a court had ordered Microsoft not to add Internet Explorer to Windows, there would today be fewer hardware manufacturers, fewer software developers, fewer applications, and a far less developed Internet, and the world would be a poorer place.

The best solution for both the administration and the courts is to retire from the field and to allow the most dynamic company in the history of technology to continue its growth in a competitive market, free from government interference.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Wednesday, February 2, 2000, the Federal debt stood at $5,702,134,559,981.88 (Five trillion, seven hundred two billion, one hundred thirty-four million, five hundred fifty-nine thousand, nine hundred eighty-one dollars and eighty-eight cents).

One year ago, February 2, 1999, the Federal debt stood at $5,594,817,000,000 (Five trillion, five hundred ninety-four billion, eight hundred seventeen million).

Five years ago, February 2, 1995, the Federal debt stood at $4,814,204,000,000 (Four trillion, eight hundred fourteen billion, two hundred four million).

Ten years ago, February 2, 1990, the Federal debt stood at $2,987,306,000,000 (Two trillion, nine hundred eighty-seven billion, three hundred six million) which reflects a doubling of the debt—an increase of almost $3 trillion—$2,714,828,559,981.88 (Two trillion, seven hundred fourteen billion, eight hundred twenty-eight million, five hundred fifty-nine thousand, nine hundred eighty-one dollars and eighty-eight cents) during the past 10 years.

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting a treaty and sundry nominations which were referred to the appropriate committees.

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

MESSAGE FROM THE HOUSE

At 10:52 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2005. An act to establish a statute of repose for durable goods used in a trade of business.

MEASURES REFERRED

The following bill was read the first and second times by unanimous consent and referred as indicated:

H.R. 2005. An act to establish a statute of repose for durable goods used in a trade of business; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–7299. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Fokker Model F27 Mark 050 Series Airplanes; Request for Comments; Docket No. 99–NM–317'' (RIN2120–AA64) (1999–0517), received December 16, 1999; to the Committee on Commerce, Science, and Transportation.

EC–7300. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Fokker Model F27 Mark 050 Series Airplanes; Request for Comments; Docket No. 99–NM–236 (1–6/1–10)'' (RIN2120–AA64) (2000–0015), received January 10, 2000; to the Committee on Commerce, Science, and Transportation.

EC–7301. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Fokker Model F27 Mark 050 Series; Request for Comments; Docket No. 99–NM–235 (12–29/1–3)'' (RIN2120–AA64) (1999–0545), received January 3, 2000; to the Committee on Commerce, Science, and Transportation.

EC–7302. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Fokker Model F27 Mark 100, 200, 300, 400, 500, 600, and 700 Series Airplanes and Model F27 Mark 050 Series Airplanes; Docket No. 99–NM–153 (11–22/11–29)'' (RIN2120–AA64) (1999–0477), received November 29, 1999; to the Committee on Commerce, Science, and Transportation.

EC–7303. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Fokker Model F27 Mark 050 Series; Request for Comments; Docket No. 99–NM–316 (11–19/11–22)'' (RIN2120–AA64) (1999–0457), received November 22, 1999; to the Committee on Commerce, Science, and Transportation.

EC–7304. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Fokker Model F27 Mark 050 Series; Request for Comments; Docket No. 99–NM–318 (1–49/1–20)'' (RIN2120–AA64) (2000–0031), received January 24, 2000; to the Committee on Commerce, Science, and Transportation.

EC–7305. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; General Electric Company Series Reciprocating Engines; Docket No. 95–ANE–39 (11–29/12–2)'' (RIN2120–AA64) (1999–0501), received December 3, 1999; to the Committee on Commerce, Science, and Transportation.

EC–7306. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; General Electric Company Aircraft Engines CF34 Series Turbofan Engines; Request for Comments; Docket No. 98–ANE–19 (11–19/11–29)'' (RIN2120–AA64) (1999–0481), received November 29, 1999; to the Committee on Commerce, Science, and Transportation.

EC–7307. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; General Electric Company GE90 Series Turbofan Engines; Request for Comments; Docket No. 99–NE–62 (1–6/1–10)'' (RIN2120–AA64) (2000–0013), received January 10, 2000; to the Committee on Commerce, Science, and Transportation.

EC–7308. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; General Electric Company CF6–80E1A2 Series Turbofan Engines; Request for Comments; Docket No. 99–E–52'' (RIN2120–AA64) (1999–0487), received November 29, 1999; to the Committee on Commerce, Science, and Transportation.

EC–7309. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Cessna Aircraft Company Model 182S Airplanes; Docket No. 98–CE–125'' (RIN2120–AA64) (2000–0044), received January 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC–7310. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Cessna Aircraft Company 300 and 400 Series Airplanes; Request for Comments; Docket No. 97–CE–67'' (RIN2120–AA64) (2000–0030), received January 24, 2000; to the Committee on Commerce, Science, and Transportation.