

out from this horrific upheaval has forced us to confront the disease not just as an epidemiological threat, but as a security threat as well. Nearly 4,500,000 children have HIV and more are being infected at the rate of one child every minute. According to UNAIDS, by the end of 1999, AIDS had left 13,200,000 orphaned children in its wake.

This bill is a serious effort to confront this monstrous crisis. It will provide hundreds of millions of dollars in assistance to strengthen prevention efforts, to combat mother-to-child transmission, to improve access to testing, counseling, and care, and to assist the orphans left in the wake of the disease. Through a new AIDS trust fund, it will leverage U.S. assistance with a multilateral approach and through innovative partnerships with the private sector. The bill provides support to the Global Alliance for Vaccines and Immunizations and to the International AIDS Vaccine Initiative, so that even as we address the urgent needs of the present, we work toward a solution in the future. The bill insists that AIDS education be provided to troops trained under the auspices of the African Crisis Response Initiative. It recognizes the inextricable link between HIV/AIDS and the resurgence of tuberculosis. It goes beyond the President's request and beyond anything that this Congress has contemplated since the epidemic began.

The bill is not perfect, of course. The needs are great and the problem multifaceted. I would still like to see this Congress address the important issue of access to pharmaceuticals, and to put strong language into statute that would prohibit the executive branch from pressuring countries in crisis to revoke or change laws aimed at increasing access to HIV/AIDS drugs, so long as the laws in question adhere to existing international regulations governing trade. This bill does not absolve this Senate of a continued responsibility to address the global AIDS crisis. But it is remarkable, all the same.

This bill has the unanimous support of the Senate Foreign Relations Committee. Senators HELMS, BOXER, FRIST, KERRY, and BIDEN have worked on it tirelessly. It includes provisions originally drafted in the Mother-to-Child HIV Prevention Act, a bill authored by Senator MOYNIHAN of which I was proud to be an original co-sponsor. It reflects the admirable work of the House and in particular of Congresswoman BARBARA LEE and Congressman LEACH, and it should reach the President's desk quite quickly. Rarely does such a substantive, ground-breaking bill enjoy this degree of bipartisan consensus. It is a tribute to my colleagues and a testimony to the undeniable magnitude and urgency of the crisis that the Senate stands ready to pass this legislation today.

Just days ago, U.S. Ambassador to the United Nations Richard Holbrooke testified before the Senate Foreign Re-

lations Committee. When he was speaking about the AIDS crisis, he spoke of its impact and of the place the epidemic has already taken in history, and said, "All of us will have to ask ourselves, when our careers are done, did we address this problem?" This bill is an important part of the answer to that question.

Mrs. BOXER. Mr. President, today the Senate is taking a big step forward in the fight against international AIDS and Tuberculosis. Today's passage of H.R. 3519, the Global AIDS and Tuberculosis Relief Act of 2000, will help those throughout the world who are suffering from these deadly infectious diseases.

I am particularly pleased that this legislation includes two bills that I introduced earlier in the 106th Congress. In February, I introduced the Global AIDS Prevention Act (S. 2026). This legislation authorizes \$300 million in bilateral aid for those nations most severely affected by HIV and AIDS. It calls on the United States Agency for International Development to make HIV and AIDS a priority in its foreign assistance program and undertake a comprehensive, coordinated effort to combat HIV and AIDS. This assistance will include primary prevention and education, voluntary testing and counseling, medications to prevent the transmission of HIV and AIDS from mother to child, and care for those living with HIV or AIDS.

H.R. 3519 also includes legislation I introduced last year, the International Tuberculosis Control Act (S. 1497). This bill authorizes \$60 million in aid to fight the growing international problem of tuberculosis. With this legislation, the United States Agency for International Development will coordinate with the World Health Organization, the Centers for Disease Control, the National Institutes of Health, and other organizations toward the development and implementation of a comprehensive tuberculosis control program. This bill also sets as a goal the detection of at least 70 percent of the cases of infectious tuberculosis and the cure of at least 85 percent of the cases detected by 2010.

H.R. 3519 has other important provisions as well. The bill includes a \$10 million contribution to the International AIDS Vaccine Initiative and a \$50 million contribution to the Global Alliance for Vaccines and Immunizations. It also contains provisions calling for the establishment of a World Bank AIDS Trust Fund with the Secretary of the Treasury authorized to provide \$150 million for payment to the fund.

I want to thank all of the members of the Senate Foreign Relations Committee for their work on this legislation. I am particularly grateful for the efforts of Chairman HELMS in pushing this bill forward.

This is an important step in the fight against AIDS and TB. I have no doubt that greater resources will be needed in

future years to continue this effort. I am hopeful that the Senate will continue to treat the issue of infectious diseases with the seriousness it deserves.

There are 34 million people today living with HIV/AIDS, and one-third of the world's population is infected with tuberculosis. Much more needs to be done, and I am proud of the Senate for taking this action today.

Mr. BENNETT. Mr. President, I ask unanimous consent that the bill be read a third time and passed, as amended, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 3519), as amended, was read the third time and passed.

#### TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT OF 2001—MOTION TO PROCEED—Continued

Mr. BENNETT. Mr. President, I will now turn to the subject that has been raised today and yesterday and last week and repeatedly in the last few weeks. That is the subject of why the Senate is not proceeding on the pace and with the vigor we all think it should. We have heard from the Senator from Rhode Island and others today about how the majority leader has somehow dictatorially brought everything to a terrible halt and wouldn't it be wonderful if we went back to the great spirit of cooperation and comity that allows us to get things done. I agree absolutely that it would be wonderful to return to the spirit of cooperation and comity that would allow things to be done, but I think it is pointing the finger in the wrong place to attack the majority leader.

Let me share with you my experience this last week. Monday of this week was July 24, which in my home State is the biggest day of the year. July 24 happens to be the day that Brigham Young and the first group of Mormon pioneers entered Salt Lake Valley and put down roots that have now become not only Salt Lake Valley but the State of Utah. Every year we celebrate that historic event with a major parade. It is one of the requirements for a politician to be in that parade. Senator HATCH and I always confer about whether or not we will be able to make the parade because we don't want to miss votes. There have been times when we have had to miss the parade to be here to do our appropriate duty.

On Friday of last week, I went to the staff of the leadership and said: What is going to happen on Monday? I was told: We will be on energy and water. There will be amendments and there will be votes.

I then went to the subcommittee chairman of the Appropriations Committee and said to him—this being Senator DOMENICI—how important will the votes be and how many will there be?

Senator DOMENICI said: Well, there will be several votes, but I think they will be relatively unimportant ones. They will not be close.

I said: Well, Senator, I think under those circumstances, I will go to Utah and ride in the July 24 parade. If you can assure me that it will not create an undue hardship for you with respect to passing important amendments that my vote would not be absolutely essential, I think I will go to Utah.

He told me: Senator, you can go to Utah. I will see to it that the amendments that we vote on on Monday will not be so close that your vote would have made that much of a difference.

So I went to Utah. When I got back, I said to my staff: How many votes did I miss and how important were they? I found out I didn't miss any votes. The Senate didn't vote. Why? The Senate didn't take up the bill. Why? Because the minority objected to the motion to proceed, and the majority leader was required to file a cloture motion on the motion to proceed to consider the bill.

I have made the statement in this Chamber before that based on my experience, I can remember a time when no one ever objected to a motion to proceed. A filibuster on the issue of the motion to proceed was something that was unheard of from either side. We have been told this afternoon "couldn't we go back to the time when people got along with each other" from the same side of the aisle that has said: We will filibuster the motion to proceed.

So the majority leader had to file a cloture petition. He filed the cloture petition. We voted on it. When we voted on it, it was passed overwhelmingly, if not unanimously. That raises the question: Why did we go through this exercise? Why couldn't we have been on the bill at the time we were scheduled to be on the bill? Why are we in this situation now when we are under a cloture situation running off 30 hours on the clock so we can then finally get around to voting on the bill, knowing that as soon as we get through with this one, there will be another one where there will be objection to the motion to proceed, the requirement that a cloture petition be filed, and the running off the clock again?

There are various ways to defeat legislation. One of them is to delay it. I said once before, I worry this Chamber has started to move from being the world's greatest deliberative body to being the world's greatest campaign forum. I am distressed by reports in the popular press that say that the Vice President and his party intend to run against a do-nothing Congress. We are doing everything we can to make this a do-something Congress, but there are forces at work to try to create the prophecy of a do-nothing Congress into a self-fulfilling prophecy.

It can be done in such a way that the public at large doesn't understand what is going on. The public at large doesn't know what cloture means. I go home to my constituents and I try to

explain what is going on. They don't understand what the motion to proceed is. They don't understand the rules of the Senate. You talk to them about unanimous consent agreements that are not being agreed to, agreements that are made between the two leaders that then get set aside and cloture petitions, their eyes glaze over when you start talking like that. They come back to you—these are my constituents—and they say: Why aren't you getting your work done?

When you have to make these kinds of explanations, the public gets impatient, which plays into the hands of those whose electoral strategy is run against a do-nothing Congress. I have started to use that language, as I explain to my constituents why we are not getting the people's work done. I say to them very deliberately—and it pains me because I do not want to cast clouds over this institution, but I believe I have to say it anyway—there are those who want to run against a do-nothing Congress who are determined to create a do-nothing Congress. And in the Senate, the rules are such that you can do that. The rules are such that even if you are in the minority, if you want to bring this place to its knees and bring it to a halt, you can do that.

I have been in the minority. I have heard some of my fellow party members in the minority say: We have to bring this place to a halt; we have to shut it down. I am glad I didn't participate in the attempts on the part of the minority to shut this place down when George Mitchell was the majority leader; when George Mitchell did many of the things that TRENT LOTT is now being accused of doing; when George Mitchell said: We have to do the people's business, even if it means, as majority leader, I exercise something of an iron fist to make sure we do the people's business; I will do it and we will get the people's business done. Those on this side of the aisle who said in my hearing, "let's shut this place down," did not prevail.

I did not participate with them, and I am proud of that fact, that we did not attempt to shut this place down. Were we frustrated? Absolutely. Were we upset? Absolutely. Did we engage in filibusters, yes, straight up. My assigned time was from 1 to 2 o'clock in the morning in a filibuster, when George Mitchell said: If the Republicans are going to filibuster us, let's go around the clock. I was very up front about it. I believed the bill that we were talking about was sufficiently bad that I was willing to take my turn from 1 to 2 o'clock in the morning to see to it that the bill didn't pass.

That is part of the game around here. That is the way the rules are structured. I have no problem with that. But objecting to the rule to proceed, which is the kind of thing the public doesn't understand, but that all of us understand, is a stealth filibuster. It is an attempt to slip under the public awareness, shut this place down, and create a

situation where you can then run against a do-nothing Congress.

I remember the first person to run against a do-nothing Congress—Harry Truman. I remember what Harry Truman did. It was very different from what is being done here. Let's get a little history here.

Harry Truman was President of the United States by virtue of Franklin Roosevelt's death. He had not run for President, he had not been elected, and he was not very popular in the country. The Republicans controlled both Houses of Congress as a result of Harry Truman's lack of popularity, and they were absolutely sure they were going to win the 1948 election. So they were determined they were not going to pass any legislation that Harry Truman could veto. They were going to wait until Thomas Dewey became President of the United States, and then they were going to pass their legislation for a President who would sign it.

They held the Republican National Convention, and in the convention they outlined all of the things they were going to do, once they were in power, in both the Congress and the executive branch. Well, Harry Truman called their bluff. Harry Truman said: If that's what the Republicans really will do when they are in charge, let them do it now. He called the Congress back into session after the Republican convention and said to them: Here is your opportunity. Here is your platform. Pass your platform.

Well, Robert Taft, who was the dominant Republican—the man whose picture graces the outer lobby here as one of the five greatest Senators who ever lived—made what I think was a miscalculation. He thought Harry Truman was so unpopular in the country at large that the Congress could thumb its nose at the President of the United States, and he said: We are not going to do anything in this special session that the President has called us into. We are not going to play his game.

So the Republican Congress adjourned after that special session without having done anything—deliberately, without having done anything. Harry Truman then went out and ran against the do-nothing 80th Congress and got himself elected in his own right as President of the United States. It was one of the great political moves of this century.

That is not what we are dealing with here. We are not dealing with a Republican Party that doesn't want to act. We are not dealing with a Republican Party that doesn't want to solve the people's problems. We are dealing with a Republican Party that is trying desperately to perform the one absolutely required constitutional function that the Congress has, which is to fund the Government. We are trying to pass appropriations bills to fund the Government, so that there will not be a Government shutdown, there will not be a continuing resolution, there will not be a crisis at the end of the fiscal year.

When we try to move to the bills that will fund the Government, we run into procedural roadblocks on the part of those who are then talking about running against a do-nothing Congress. That is what is going on here.

If we have to say it again and again and again, so that our constituents finally begin to understand it, I am willing to say it again and again and again. We have discovered that one of the strategies being played out in this great campaign forum is to take an amendment that is seen as a tough political vote, bring it up, see it defeated, and then the next week bring it up again, and then complain when the Republicans say we have already voted on that; we don't need to vote on it again. Oh, yes, you do, says the leadership on the other side; let's vote on it again.

If we vote on it again and defeat it, thinking, OK, we have had a debate and we have taken our tough political votes and we have made it clear where we stand on this issue, let's move forward, no, we are told somehow when you want to move forward without bringing up this amendment again: You are thwarting the will of the Senate; you are turning the Senate into another version of the House of Representatives if you won't let us vote on this controversial amendment a third time.

If it gets voted on a third time, then it comes up a fourth time. If it gets voted on a fourth time, it comes up a fifth time. Every time the majority leader says: We have done that, we have debated that, we have voted on that, he is told: No, if you take a position that prevents us from voting on it again, you are destroying the sanctity of this institution.

Well, now we are being told we are interfering with the President's constitutional right to appoint judges. I find that very interesting because this Congress has confirmed more judges in an election year than previous Congresses. Quoting from my colleague, the chairman of the Judiciary Committee, and therefore in a position to have the statistics, there are fewer vacancies in the Federal judiciary now than when the Democrats controlled the Congress and the Republicans controlled the White House in an election year. If I may quote from Senator HATCH:

Democrats contend that things were much better when they controlled the Senate. Much better for them, perhaps. It was certainly not better for many of the nominees of Presidents Reagan and Bush. At the end of the Bush administration, for example, the vacancy rate stood at nearly 12 percent. By contrast, as the Clinton administration draws to a close, the vacancy rate stands at just 7 percent.

Well, turning it around, the vacancy rate we are facing now is roughly half that which a Democratic Senate gave to President Bush as he was facing reelection. Oh, but we are being told: No, there are judges who have languished for a long time; therefore, we should have a vote on the judges whose names

have been before us the longest before we have a vote on the judges who may have been nominated more recently, and it is terrible to hold a judge or any nominee for a long period of time. We need to give him or her a vote. We need to bring the names to the floor of the Senate, and the minority leader should decide which name is brought to the floor of the Senate.

I remember when I first came to this body, I was assigned to the Banking Committee. There was a nominee sent forward by President Clinton whom the chairman of the Banking Committee didn't like. The chairman of the Banking Committee at the time was, of course, a member of President Clinton's own party. But his objection, as I understood it—and I may be wrong—was that this particular nominee had too much Republican background on his resume, that this particular nominee had not been ideologically pure enough for the chairman of the Banking Committee.

As I say, that is my memory, and I could be wrong. But that was the very strong position on the part of the chairman of the Banking Committee. That nominee didn't come up for a hearing before the Banking Committee for the entire 2 years that the Democrats controlled the Banking Committee and that man was the chairman. Any attempt on the part of anybody else to get that particular nomination moving was thwarted by the chairman.

Now, what if the then-minority leader, Senator Dole, had come to the floor and said we will not allow anything to go forward until this nominee comes to the floor for a vote?

How would people have reacted to that kind of action on the part of the minority leader if the entire minority had gathered around him, and said: We will stand with you, we will filibuster the motion to proceed, and we will do everything we can to bring the Senate to a complete halt until this nominee that has languished in the Banking Committee for almost 2 years is brought forward? I am pretty sure I know what George Mitchell would have told Bob Dole. I am pretty sure I know what the majority leader would have said under those circumstances. It probably would not be as mild as the comments TRENT LOTT is currently making about the present demands that are being made with respect to specific judges by name—not the agreement that the minority leader and the majority leader made where the majority leader said: All right, we will move forward on judges; we will bring a determined number of judges forward—but to say, no, we are now changing, and we are demanding a specific name be brought forward or we will shut the whole place down, and then come to the floor and say somehow the work of the people is not getting done.

I am willing to take the tough votes that are being referred to on the floor. I have taken the votes on guns. I have

taken the votes on abortion. I have taken the votes on minimum wage. I have taken the votes on Patients' Bill of Rights. I have taken the votes on prescription drugs for seniors. I have a record now that I will have to stand and defend before my constituents. Those votes have been taken because the minority has had the right to bring up every one of those issues and demand a rollcall vote.

I don't apologize for the fact that I backed the majority leader in his position that we don't need to take those votes again. While we are in the process of trying to fund the Government and discharge our constitutional responsibility, we don't need to sidetrack that business to go over old ground. If there is an election that has come up so that there are new people here and the electoral balance has shifted, it obviously makes sense to take those votes against. But to have the same people in the same Chamber in the same Congress in the same session repeat the votes again and again and again doesn't make any sense when the process of debating each one of those votes again and again and again delays the whole legislative process to the point that we get to what I sadly have come to the conclusion is the goal here, which is to create a do-nothing Congress so that some people can run against a do-nothing Congress.

If it means the majority leader has to get as tough as George Mitchell, if it means the majority leader has to be as firm as his predecessors, who were Democrats who were firm in order to move the people's business, I support the majority leader. It does not disgrace this body. It does not take this body away from its traditions. It is in the tradition of the body to move legislation forward and get the people's business done.

I applaud Senator LOTT for his courage and his leadership in moving us in that direction.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. BENNETT. Mr. President, will the Senator yield for a leadership motion?

The PRESIDING OFFICER. The Senator from Oregon has the floor.

Mr. SMITH of Oregon. I yield to the Senator to make a request.

#### UNANIMOUS CONSENT AGREEMENT

Mr. BENNETT. Mr. President, I ask unanimous consent that at the hour of 5 p.m. the Senate proceed to adopt the motion to proceed to the Treasury/Postal appropriations bill; that immediately after that the Senate vote on cloture on the motion to proceed to the intelligence authorization bill; that immediately after that vote, regardless of the outcome, the Senate proceed to a period for morning business until the Senate completes its business today, and that the preceding all occur without any intervening action or debate.

I announce that the cloture vote regarding the motion to proceed to the

intelligence authorization bill which will occur at 5 p.m. this evening will be the last vote today. We would then go into a period for morning business and conclude the session for the day with the exception of any conference reports or wrap-up items that may be cleared for action.

I further ask unanimous consent that when the Senate completes its business today it stand in adjournment until the hour of 9:30 a.m. tomorrow; that the call of the calendar be waived and the morning hour be deemed to have expired; that there then be a period for eulogies for our former colleague Senator Coverdell as previously ordered; that following the swearing in of our new colleague, ZELL MILLER, at 11 a.m. and his eulogy of Senator Coverdell, the Senate adopt the motion to proceed to the intelligence authorization bill, if its pending, and then vote on the cloture vote on the motion to proceed to the energy/water appropriations bill, and that the preceding all occur without any intervening action or debate.

The PRESIDING OFFICER. Is their objection?

Mr. REID. Reserving the right to object, Mr. President, I want to say to my friend from Utah, for whom I have the highest regard, he is a great Senator. I have personal feelings toward him that he understands. But I want to just say a couple of things before we settle this little bit here.

I served under George Mitchell. Never did Senator Mitchell prevent the minority from offering amendments. That is our biggest complaint in this body—that the majority will not allow the minority to offer amendments. We believe the Senate should be treated as it has for over 200 years. If that were the case, we wouldn't be in the situation we are in now.

I also say to my friend that the percentage on the judges doesn't work because we are dealing with a larger number. Of course, if you have a larger number of judges, which has occurred since President Reagan was President, you could have a smaller percentage. That means a lot more judges. As we know, you can prove anything with numbers.

I also say that one of the problems we have with judges is my friend from Michigan has one judge who has waited 1,300 days. That is much shorter than the 2 years my friend talked about in regards to the Banking Committee. In fact, I think the majority is protesting too much.

I withdraw my objection.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BENNETT. Mr. President, in light of this agreement, a rollcall vote will occur at 5 p.m. today on the motion to proceed to the intelligence authorization bill. Another rollcall vote will occur at approximately 11:30 a.m. on Thursday on the motion to proceed to the energy and water appropriations bill.

I thank the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon has the floor.

Mr. HARKIN. Mr. President, will the Senator yield for a unanimous consent request?

Mr. SMITH of Oregon. I would be happy to yield for a unanimous consent request.

Mr. HARKIN. Mr. President, I ask unanimous consent that when the Senator from Oregon finishes his remarks, the Senator from Iowa be recognized to make some remarks.

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

The Senator from Oregon.

Mr. SMITH of Oregon. Mr. President, I thank you for the time. I am here today at the request of my leader. I am here today to talk to the people of Oregon and to the American people.

I am often asked in townhall meetings why it is that we don't seem to be getting much done. Every time people turn on C-SPAN they see Republicans and Democrats bickering. I have said to them: I know it is frustrating. I know you do not like it. I know it sometimes isn't pleasant. But, frankly, rather than criticize it, we ought to celebrate it because this is the way we go about the business of government of a free people—of exchanging ideas, and using words as our weapons and not actually bullets.

This contest between Republicans and Democrats is not an unhealthy thing. But I must admit to the American people and to the people of Oregon that what I see happening on the Senate floor right now is nothing to be celebrated.

I came to the Senate looking for solutions—not looking for a fight. I don't mind a good debate. I don't mind differences of opinion. I don't mind taking tough votes. Frankly, I have learned that the tough votes are sometimes the most memorable because they are difficult. They set you apart. They make you come to a choice. Like Senator BENNETT said, I have taken all of these tough votes that my Democratic friends have wanted me to take, and they have taken some that we wanted them to take. However, I have to say that now is not a moment to be celebrated because of what I have been hearing since I came back from this last weekend.

I have heard from colleagues on both sides of the aisle that this session of Congress is essentially over, that right now politics is going to prevail over policy, and that there will be gridlock until the election so that the greatest political advantage can be made out of the Congress.

I am disappointed in that. I didn't come here for that. I didn't fight as hard as I did to win a seat in this body to just play that kind of a game.

I find on the Democratic side people of honor and good will. I hope they find that in Republicans. Frankly, I think we are allowing the worst of our natures to take over right now. I am disappointed. I am very disappointed.

I understand that the White House is now telling our leaders that unless we accede to every one of the President's demands, that we will be blamed for shutting the Government down because he won't sign any tax cut, he won't sign any appropriations bill. We are just going to be made the victims of this. I say to my friends in the White House, this is an overreach. This goes too far.

The American people will judge this for what it is. I think we owe the American people something better than that. I think we owe them the truth. I think we owe them our best efforts. I think the politics shouldn't be so blatantly transparent that it brings shame upon the Senate.

I am here with a heavy heart because I want to get something done. I have sat in the chair many times and begun to see this filibuster mentality build up among the minority that rails against these tax cuts that we have passed, to eliminate estate taxes, to eliminate the marriage penalty. They don't have to like it, they voted against it.

I will say why I voted for them. There is an overarching reason why I vote for tax cuts. I believe in times of surplus and prosperity there is a point when we can say we are taking too much and we believe it can do more good in the general economy and we will put some back. Tax cuts go to taxpayers. When it comes to specific taxes, for example, the estate tax, I will state why I voted to change the nature of that tax, to eliminate the incidence of debt as the tax, and to shift it over to the sale of an asset as the incidence of taxation. I don't believe it is any of the Government's business how my heirs receive my estate. I think that is about freedom. I think that is about people saying: I am going to work hard and I will accumulate what I can, and I want to determine how my sons and my daughters receive my estate. Then if my heirs are unwise, the marketplace will redistribute that income because of poor choices.

I don't think it is the Government's business to say we are going to determine how this money is redistributed. It is a difference of who you trust. Do you trust Government? Or do you trust freedom? Do you trust people? Or do you trust central planning? That is why I am on this side of the aisle—not because I think there are bad people over there; I know otherwise. There are good people there. But we have a difference of belief in how the public is best served. I think they want more equality. I think we want more liberty. That is the context of the debate here.

I want the American people to know I will defend my vote to my own grave to eliminate the estate tax. I believe the way we have shifted it to a capital gains as the incidence of taxation is far more consistent with notions of freedom than reaching into somebody's grave and saying we are going to distribute it a new way, a Government way. That is not the America that I believe in.

When it comes to the marriage penalty tax cut, they are complaining again that too few people will benefit. You say it affects people disproportionately. But many married people will benefit. Again, it is hard to give tax cuts to those who don't pay taxes. I am not ashamed of voting to cut taxes for married people. Some people say that is unfair. However, I think we ought to incentivize marriage. It is a cornerstone of our society. Take religion out of it. Sociologists and psychologists will say for a child to have the best chance in life they need a mom, they need a dad. Those are the kinds of things we ought to be incentivizing—not penalizing.

Without any embarrassment, I am proud to have voted to end the marriage tax penalty and the death tax penalty. These are bad tax policies. We have voted to end them. If they don't like the distribution of them, fine. But we have cast these votes. They voted one way; we voted another. We have taken their tough votes. As Senator BENNETT said, we have taken the gun votes. We have taken the votes on abortion. We have taken a whole range of votes. We have taken a vote against their prescription drug plan.

Let me go to prescription drugs for a minute. I am a member of the Budget Committee. I have sensed in the people of Oregon a real desire for a prescription drug benefit. I want to deliver for that. Because of that, I went into the Budget Committee when we created this template in the U.S. budget, determined to stand with my colleague, RON WYDEN, to accede the President's request for a prescription drug benefit. The President requested \$39 billion. RON, OLYMPIA SNOWE, and I decided together we have a majority if the Democrats will vote with us. We felt strongly that we should deliver on this promise and this need.

We got the Budget Committee to exceed the President's request of \$39 billion. We went to \$40 billion. However, I was a little bit discouraged—even felt somewhat betrayed—when a few months later the President says, just kidding, we need \$80 billion. Double? From where did the original \$39 billion come? Why all of a sudden, \$80 billion? Don't the American people want Congress to be responsible for this? I put everyone on notice, I am being told in the Budget Committee that \$80 billion won't even begin to cover this. Now what we are looking at under the President's program, is a one size fits all plan. A Government bureaucrat will be in your medicine cabinet and making choices for your health. A plan, by the way, that doesn't even take effect when we pass it—3 years hence. How is that keeping faith with the American people? They cannot even begin to tell you what it costs.

This is not the way we should make these fundamental decisions about the health of the American people and the health of our Government's budgets. I hope everybody understands that. I am

being told that come October 6, when we are supposed to sine die, if we haven't passed the President's version we are going to be put in a position that we are made to look as if we are shutting the Government down.

People of America, you do not want Congress making these fundamental irreversible decisions on such a basis. These are important issues. We should not be giving in to this kind of political pressure for expediency, for an election. We should do it carefully. We should do it right. When it comes to prescription drugs, I will spend what I have to make sure you have a choice, that it is voluntary, and that it is affordable.

Under the President's plan, I bet there is better than half of the American people who would be eligible for it, who would not pay less for prescription drugs, yet would be forced to pay more. Is that what we want? That is not voluntary. That is about Government central planning. That is about a bureaucrat in your medicine cabinet. That is a plan for which I will not vote.

I believe in the marketplace. I believe in freedom. I believe Government has a role. I believe we ought to have a safety net. But I don't believe we ought to be going to a system that says the Government knows best and a bureaucrat can tell you what pill you need to take.

I have talked about taxes. I have talked about the budget. I have talked about prescription drugs.

Let me end by talking a little bit about this other great frustration I hear from the people of Oregon and that is the cost of gas, the cost of energy.

There is plenty of blame to go around, I am sure. I am not defending big oil. I am not defending the Government, either. But what I am telling you is our country has an enormous trade deficit because we are spending over \$100 billion per year on foreign oil. When President Carter was the President, we had gas lines and we had shortages. I remember waiting over an hour every time I went to get gasoline. When that occurred, our country was 36-percent dependent on foreign oil. We are 56-percent dependent now. Do you know why? Because in the life of this administration we have had over 30 oil refineries close; we have had leases canceled; we have had no development; and we have had an increasing dependence—not less—on foreign oil. I tell the American people, that is why you are paying too much. That is why you are paying more than you need to, because we are being held hostage to a cartel of foreign nations—many that wish us ill, many that would like to put us over an oil barrel and push us over.

I am saying I don't like drilling for oil. Every one of us drives a car and for a lot of us, the oil that drives that car is refined in Texas. Everyone of us likes the freedom of an automobile. Frankly, I would rather say to the American people: Let your sons and

daughters drill for oil so they do not have to die for oil. We are setting them up to die for oil if we do not figure out some better balance between production and conservation.

Conservation is important. I vote for conservation initiatives. But it is not the whole answer. You have to produce something. A third of our trade deficit is due to foreign oil. If you want an independent country, if you want an independent foreign policy, you cannot be totally dependent, as we are becoming, on foreign oil. But there you have it. That has been the policy of this administration.

Finally, our Vice President said he wants to outlaw or get rid of the internal combustion engine. In my neck of the woods, we have the incredible benefit of hydroelectric power. We have low energy rates because of hydroelectric power. But, guess what, they are talking about tearing them down. They want to tear out the most clean, most renewable, most affordable energy supply that we have. Guess what happens when you do that. You lose—the recreation is gone, but, more importantly, you lose the irrigation for farmers, you lose the transportation of goods from the interior all the way from Montana, Idaho, Washington, Oregon to the Port of Portland and around the Pacific rim. You lose the ability to use this system of locks to move vast quantities of agricultural and other commodities.

I don't think we want to do that. I think it is very unwise. If you want to get rid of the internal combustion engine—let's examine this briefly. Right now, to move about a half a million bushels of grain, you need four barges that move through these locks. Four barges use very little energy. It just floats and makes its way to the Port of Portland. Get rid of the locks or dams, guess what, you have to truck them or rail them. How many railcars does it take to replace the four barges? It takes 140 jumbo railcars to move the same volume.

The tracks, the infrastructure is not there to do all the railing. So then you go to trucks, internal combustion engines. Guess how many trucks it takes: Four barges versus 539 large "semi" trucks. Guess what creates pollution. Guess what creates damage to your roads. That will do it.

I want to be fair about this. When we are becoming so dependent on foreign oil, so dependent upon foreign energy, so dependent as a superpower on others, I think it is very imprudent to begin tearing out our energy infrastructure.

So I will close, and I say again with a heavy heart, I think right now politics is prevailing over good policy. I think that is too bad. But let me tell you, the real losers will be the American people if the Republican majority caves in to the kind of tactics that say if you don't take everything we want we are going to make you look like you shut the Government down.

There are a lot of us who are earnestly striving to do our duty, as is incumbent upon the majority, to move the business of the people while at the same time being fair to the minority. But how many times do we have to cast the same votes? Please, help us here. I plead with the President. Let's get something done. Let's deal in good faith. We don't have to let politics prevail. Because if we do, the legacy of this President and this Congress will be the words "it might have been."

It ought to be better than that. But I, for one, believe in our Republic. I believe in our separation of powers. I will be very disappointed in my leaders if we cave in to a King. We cannot do that. We are not going to cave in to a King. We need to stand up for our institution. Moreover, we need to pay attention to the details of our policy. Because if we work it out with civility, we will work it out right for the American people.

I yield the floor.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. REID. I thank the Chair.

#### INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2001—MOTION TO PROCEED

##### CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

##### CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to calendar No. 654, S. 2507, the Intelligence Authorization Act for fiscal year 2001:

Trent Lott, Richard Shelby, Connie Mack, Ben Nighthorse Campbell, Michael D. Crapo, Rick Santorum, Wayne Allard, Judd Gregg, Christopher Bond, Conrad Burns, Craig Thomas, Larry E. Craig, Robert F. Bennett, Orrin Hatch, Pat Roberts, and Fred Thompson.

The PRESIDING OFFICER (Mr. VOINOVICH). By unanimous consent, the mandatory quorum call rule has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to the consideration of S. 2507, a bill to authorize appropriations for the fiscal year 2001 for intelligence and intelligence-related activities of the U.S. Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other pur-

poses, shall be brought to a close? The yeas and nays are required under the rule. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Wyoming (Mr. THOMAS) is necessarily absent.

Mr. REID. I announce that the Senator from Minnesota (Mr. WELLSTONE) is necessarily absent.

I further announce that, if present and voting, the Senator from Minnesota (Mr. WELLSTONE), would vote "aye."

The yeas and nays resulted—yeas 96, nays 1, as follows:

[Rollcall Vote No. 228 Leg.]

##### YEAS—96

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

##### NAYS—1

Gorton

##### NOT VOTING—2

Thomas

Wellstone

The PRESIDING OFFICER. On this vote, the yeas are 96, the nays are 1. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

#### MORNING BUSINESS

Mr. BAUCUS. Mr. President, what is the pending business?

The PRESIDING OFFICER. Under the previous order, the Senate is now in morning business.

#### EMBARGO ON CUBA

Mr. BAUCUS. Mr. President, this morning we voted on cloture on the motion to proceed to the Treasury-Postal appropriations bill. I rise to address an issue that will certainly arise in the debate. The issue is the U.S. embargo on Cuba as it relates to food and medicine.

Earlier this month, I traveled to Havana along with Senators ROBERTS and AKAKA. It was a brief trip, but it gave us an opportunity to meet with a wide

range of people. We met with Cuban Cabinet Ministers and dissidents, with the head of the largest NGO in Cuba, and also with a good number of foreign ambassadors, and with President Fidel Castro himself. I might say that was a marathon 10-hour session, about half of it dining.

I left those meetings more convinced than ever that it is time to end our cold war policy towards Cuba. We should have normal trade relations with Cuba. Let me explain why.

First, this is a unilateral sanction. Nobody else in the world supports it. Not even our closest allies. Unilateral economic sanctions, don't make sense unless our national security is at stake. Forty years ago Cuba threatened our national security. The Soviet Union planted nuclear missiles in Cuba and aimed them at the United States. Twenty years ago, Cuba was still acting as a force to destabilize Central America.

Those days are gone. The missiles are gone. The Soviet Union is gone. Cuban military and guerilla forces are gone from Central America. The security threat is gone. But the embargo remains.

My reason for my opposing unilateral sanctions is entirely pragmatic. They don't work. They never worked in the past and they will not work in the future. Whenever we stop our farmers and business people from exporting, our Japanese, European, and Canadian competitors rush in to fill the gap. Unilateral sanctions are a hopelessly ineffective tool.

The second reason for ending the embargo is that the US embargo actually helps Castro.

How does it help Castro? I saw it for myself in Havana. The Cuban economy is in shambles. The people's rights are repressed. Fidel Castro blames it all on the embargo. He uses the embargo as the scapegoat for Cuba's misery. Without the embargo, he would have no one to blame.

For the past ten years I have worked towards normalizing our trade with China. My operating guideline has been "Engagement Without Illusions." Trade rules don't automatically and instantly yield trade results. We have to push hard every day to see that countries follow the rules. That's certainly the case with China.

I have the same attitude towards Cuba. Yes, we should lift the embargo. We should do it without preconditions and without demanding any quid pro quo from Cuba. We should engage them economically. But we should do so without illusions. Once we lift the embargo, Cuba will not become a major buyer of our farm goods or manufactured products overnight.

We need to be realistic. With Cuba's failed economy and low income, ending the embargo won't cause a huge surge of U.S. products to Cuba. Instead, it will start sales of some goods, such as food, medicine, some manufactures, and some telecom and Internet services.