

So I will conclude with that side comment. I do hope that on this important issue of the provision of prescription drug benefits, we will deescalate the misrepresentation of both parties' plans. I happen to have my own strong preference as to which plan I think will best serve the needs of the American people, and particularly our 39 million Medicare beneficiaries, but I think we ought to treat both plans with the respect they deserve, have a full and serious debate on those plans, use the election of November 7 as a national referendum as to how we wish to proceed, and then if, unfortunately, we have failed to act on prescription drugs during the remaining weeks of this session, we would reconvene in January of 2001 with a President who has a mandate from the people for a clear direction, and we will respond to that mandate by effective action.

If we achieve that goal, then to the extent of this very critical issue, the democratic process is alive, healthy, and performing one of its fundamental functions of converting public aspirations into policy that will benefit their lives.

## EXHIBIT 1

## BUSH HITS GORE ON DRUGS, TAXES

(By Howard Kurtz)

Candidate: George W. Bush.

Markets: Michigan, Ohio, Pennsylvania, Florida and 14 other states.

Producer: Maverick Media.

Time: 30 seconds.

Audio: "Al Gore's prescription plan forces seniors into a government-run HMO. Governor Bush gives seniors a choice. Gore says he's for school accountability, but requires no real testing. Governor Bush requires tests and holds schools accountable for results. Gore's targeted tax cuts leave out 50 million people—half of all taxpayers. Under Bush, every taxpayer gets a tax cut and no family pays more than a third of their income to Washington. Governor Bush has real plans that work for real people."

Analysis: In a classic contrast ad furthering his theme that Gore is untrustworthy, Bush misrepresents the vice president's drug plan. First, it isn't mandatory; seniors can opt for drug coverage or not. Second, Medicare recipients could remain in traditional choose-your-own doctor plans. Drug payments would be administered through private cost-control groups—such as those now employed by the insurance industry—that are not "government-run" or health maintenance organizations. In fact, many analysts say Bush's plan, while providing choices, would encourage more seniors to join cost-conscious HMOs. Bush's education plan does place more emphasis than Gore's on holding schools accountable, though the Texas governor would spend less. Bush's \$1.6 trillion tax cut would reach far more Americans than Gore's \$500 billion cut, which would be tied to specific behavior, and the Gore camp essentially concedes the point by saying that 40 million taxpayers, not 50 million, would get no benefit.

## NATIONAL POW/MIA RECOGNITION DAY

Mr. LUGAR. Mr. President, today is National POW/MIA Recognition Day. As a Nation we remember and honor all those who were prisoners of war and

those who are still MIA. It is also fitting that they have this special day where we express gratitude for their service, for their sacrifices, and for the sacrifices of their families. We also take this day to assure the many families who still await the return of a loved one that we have not forgotten.

As a former Navy officer, I feel strongly that the United States Government must fulfill its commitments to the men and women who serve in the armed forces. One of these commitments is using every available means to ensure the return of POWs and MIAs at the end of hostilities. We must continue to support the vigorous pursuit of this commitment through on-site investigations being undertaken in Indochina and through a fuller examination of records in the United States, Russia and Asia. I would like us to renew our promise to the families and to the Nation to tirelessly fight for the fullest possible disclosure of information about the many Americans missing or unaccounted for from World War I, World War II, the Korean War, in Southeast Asia, and from the Cold War.

As we renew that promise, we can also count some accomplishments. In the past year, the remains of 49 Americans were returned from the war in Southeast Asia; however, 2005 Americans remain unaccounted for from that war—1,511 in Vietnam alone.

All year, veterans in Indiana and around the country have been holding commemorative events marking the 50th anniversary of the Korean War. This year has also seen progress in negotiations with the North Korean Government. In June, we witnessed a historic summit between North and South Korea, which could lead to further breakthroughs. Within the past three months, joint United States-North Korean remains recovery operations have returned the remains of 28 Americans. Since 1996, teams from the U.S. Army Central Identification Laboratory in Hawaii have conducted 15 such operations and recovered remains believed to be 68 soldiers. Though many of these MIA files were dormant for years because we had no diplomatic ties with the North Koreans, advances in DNA identification procedures create the hope that all of these remains will be identified.

This is a team effort and requires the firm commitments of the Congress, the Administration, the Departments of Defense and State, the Joint Chiefs of Staff and the National Security Agency. I am hopeful that all of us, through continued humanitarian support and dedicated diplomatic endeavors, will gain further information about the servicemen still missing to honor their sacrifice and provide peace of mind to their loved ones.

Mr. GRAMS. Mr. President, I rise to remind my colleagues that today is National POW/MIA Recognition Day. On this occasion, we should remember and pay tribute to the 2,005 soldiers, sailors, marines, and airmen who are still

missing and unaccounted for, and we stand in solidarity with their loved ones and families. I am humbled by, and grateful for their love of country and sense of duty and honor.

It is difficult not to feel uneasy amidst the mixture of somber thoughts and feelings of gratitude and pride that this day brings. Uneasy, because, while we are a nation at peace and the wars in which these men fought are long over, they have not all returned home.

These Americans swore an oath to support and defend the Constitution, and with great personal sacrifice, carried through on that promise to their nation. Undoubtedly, many endured years in starved, tortured, isolated misery. Their integrity and heroism are examples of the core values on which this nation was founded.

Today, I want to pay special tribute to the dedication and service of the soldiers from my home State of Minnesota who are or were POW/MIAs from the Vietnam war and the Korean war.

These great Americans and their families have the gratitude of this free Nation. Yet, we must not rest until all American POW/MIAs are returned and accounted for, and the many questions that have overwhelmed their families are answered. I urge the Senate, the administration, the Departments of Defense and State, the Joint Chiefs of Staff, and the National Security Agency to redouble their efforts to bring our soldiers home as quickly as possible. Let us all take heart from the POW/MIA flag, which is displayed every day in the Capitol rotunda and which I display proudly in my offices. "You Are Not Forgotten."

I ask unanimous consent to have printed in the RECORD a list of Minnesota's POW/MIAs from the Vietnam and Korean Wars.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

## MINNESOTA'S COLD WAR CONFLICT POW/MIAs

Eddie R. Berg, Air Force, Staff Sergeant.

Warren J. Sanderson, Air Force, Captain.

## MINNESOTA'S VIETNAM CONFLICT POW/MIAs

Howard L. Algaard, Army, Warrant Officer.

Richard C. Anshus, Army, Lieutenant Colonel.

John F. Bailey, Air Force, Major.

Charles J. Bebus, Air Force, Airman First Class.

Cole Black, Navy, Lieutenant Commander.

Richard F. Bolstad, Air Force, Colonel.

Paul V. Carlson, Navy, Lieutenant Junior Grade.

Keith A. Christophersen, Navy, Lieutenant Junior Grade.

William R. Cook, Air Force, Lieutenant Colonel.

William J. Crockett, Air Force, First Lieutenant.

Benjamin F. Danielson, Air Force, Captain.

Gale A. Despiegler, Air Force, Major.

David W. Erickson, Marine Corps, Private First Class.

David Everson, Air Force, Lieutenant Colonel.

Allen E. Fellows, Air Force, Major.

Robert H. Flynn, Navy, Lieutenant Commander.

William S. Forman, Navy, Lieutenant.

Lawrence H. Golberg, Air Force, Captain.  
 Lawrence D. Gosen, Navy, Lieutenant Commander.  
 Gary J. Guggenberger, Army, Corporal.  
 Eugene A. Handrahan, Army, Corporal.  
 Stephen J. Harber, Army, Corporal.  
 Elroy E. Harworth, Air Force, Airman First Class.  
 Roger D. Ingvalson, Air Force, Lieutenant Colonel.  
 Kenneth R. Johnson, Air Force, Major.  
 Richard A. Knutson, Army, Warrant Officer.  
 Thomas C. Kolstad, Navy, Lieutenant Commander.  
 Melvin T. Krech, Navy, Petty Officer First Class.  
 Ronnie G. Lindstrom, Air Force, First Lieutenant.  
 Allen R. Lloyd, Army, Sergeant.  
 Lyle E. Mac Kendanz, Army, Staff Sergeant.  
 Marlow E. Madsen, Navy, Lieutenant Junior Grade.  
 William E. Mickelsen, Navy, Lieutenant.  
 Robert E. Mishuk, Marine Corps, Private First Class.  
 Patrick P. Murray, Marine Corps, Captain.  
 Clinton A. Musil, Army, Captain.  
 Patrick L. Ness, Navy, Ensign.  
 Barry A. Olson, Army, Private First Class.  
 Robert E. Olson, Air Force, Major.  
 Delbert R. Peterson, Air Force, First Lieutenant.  
 Trent R. Powers, Navy, Lieutenant Commander.  
 Michael E. Quinn, Navy, Lieutenant.  
 Gary L. Rehn, Marine Corps, Corporal.  
 Lavern G. Reilly, Air Force, Major.  
 Thomas E. Reitmann, Air Force, Captain.  
 John L. Ryder, Air Force, First Lieutenant.  
 Richard J. Schell, Army, Second Lieutenant.  
 John R. Schumann, Army, Major.  
 Francis L. Setterquist, Air Force, First Lieutenant.  
 Orval H. Skarman, Marine Corps, Sergeant.  
 Darrell J. Spinler, Air Force, Captain.  
 Danial A. Sulander, Army, Warrant Officer.  
 Roger W. Swanson, Army, Private First Class.  
 William E. Swanson, Navy Reserves, Lieutenant Junior Grade.  
 Leo K. Thorsness, Air Force, Major.  
 Dennis L. Toms, Navy, Seaman Apprentice.  
 Richard A. Walsh, Air Force, Lieutenant Colonel.  
 David R. Wheat, Navy, Lieutenant Junior Grade.  
 Richard D. Wiehr, Navy, Petty Officer Second Class.  
 Kurt M. Wilbrecht, Marine Corps, First Lieutenant.  
 David W. Winn, Air Force, Brigadier General.  
 Ronald L. Zemple, Navy, Seaman.

MINNESOTA'S KOREAN CONFLICT POW/MIAS  
 Glen Allen, Marine Corps, First Lieutenant.  
 Roy H. Anderson, Jr., Army, Corporal.  
 Arnold V. Andring, Army, Sergeant.  
 Henry L. Arionus, Army, Corporal.  
 James L. Ballantyne, Army, Corporal.  
 Weldon L. Bassett, Army, Corporal.  
 John W. Beebe, Marine Corps, Major.  
 Dwight M. Bergeron, Army, Sergeant.  
 James H. Belcher, Jr., Army, Private First Class.  
 Louis H. Bergmann, Air Force, Staff Sergeant.  
 Alfred J. Bernardy, Army, Corporal.  
 Robert Bjorge, Army, Private First Class.  
 Robert S. Block, Army, Private First Class.

Richard F. Boehme, Army, Private First Class.  
 John L. Bolster, Army, Private First Class.  
 Benny Bowstring, Army, Sergeant.  
 George E. Bradway, Army, Private First Class.  
 Arnold N. Brandt, Army, Lieutenant Colonel.  
 William E. Brandt, Marine Corps, Corporal.  
 Sylvester A. Braun, Army, Corporal.  
 James V. Briody, Army, Private First Class.  
 Donald Brooks, Army, Corporal.  
 Gerald L. Caldwell, Marine Corps, Private First Class.  
 Ralph W. Carlson, Army, Sergeant.  
 Jerry C. Christensen, Army, Master Sergeant.  
 Adrian L. Christenson, Air Force, Captain.  
 Edward W. Clarno, Army, Private First Class.  
 William Colby, Army, Corporal.  
 Elmer C. Dahn, Army, Corporal.  
 Rolland W. Demo, Army, Private First Class.  
 Williard M. Denn, Air Force, Airman First Class.  
 Gordon A. Dietrich, Army, Private First Class.  
 Harvey E. Dorff, Army, Corporal.  
 Donald J. Drama, Air Force, First Lieutenant.  
 Dewin G. Eklund, Jr., Army, Captain.  
 Gerald R. Emmans, Army, Corporal.  
 Dean J. Erickson, Air Force, Airman Third Class.  
 Eugene L. Erickson, Army, Private First Class.  
 William P. Faeth, Air Force, Staff Sergeant.  
 Richard M. Fairbanks, Army, Private First Class.  
 John D. Farley, Marine Corps, Lance Corporal.  
 Michael C. Fastner, Army, Master Sergeant.  
 Charles C. Follese, Army, Private First Class.  
 Robert D. Frisk, Army, Corporal.  
 Channing Gardner, Navy, Lieutenant Junior Grade.  
 John H. Gilles, Army, Second Lieutenant.  
 Richard E. Grauman, Army, Sergeant.  
 Rosslyn E. Gresens, Army, Sergeant.  
 Lincoln L. Grife, Army, Private First Class.  
 Walter H. Gruebeling, Army, Sergeant First Class.  
 Elvin W. Haase, Army, Sergeant.  
 Kenneth N. Halsor, Army, Private First Class.  
 Gordon L. Hannah, Army, Sergeant First Class.  
 Beverly T. Haskell, Army, Sergeant First Class.  
 John W. Healy, Army, Lieutenant Junior Grade.  
 August H. Hinrichs, Jr., Air Force, Master Sergeant.  
 Delbert J. Holliday, Army, Private.  
 John H. Holman, Army, Sergeant First Class.  
 Johnh I. Hoven, Army, Corporal.  
 Arnold S. Howard, Air Force, First Lieutenant.  
 Paul J. Jacobson, Air Force, First Lieutenant.  
 Lawrence R. Jasmer, Army, Sergeant.  
 Morton H. Jensen, Air Force, Technical Sergeant.  
 Eugene F. Johnson, Navy, Lieutenant.  
 Gudmund C. Johnson, Jr., Army, Corporal.  
 Roy L. Johnson, Army, Corporal.  
 Richard J. Karnos, Army, Major.  
 Douglas B. Kern, Air Force, First Lieutenant.  
 Merten G. Klawitter, Army, Sergeant.  
 Edwin H. Knutson, Army, Sergeant.

George W. Kristanoff, Army, Captain.  
 Freddie A. Kvale, Army, Corporal.  
 Gerald R. Larson, Army, Private First Class.  
 Robert W. Liebeg, Army, Corporal.  
 Ronald D. Lilledahl, Marine Corps, Private First Class.  
 Carl H. Lindquist, Army, Master Sergeant.  
 Walter E. Lischheid, Marine Corps, Lieutenant Colonel.  
 Warren A. Lundberg, Marine Corps, Lance Corporal.  
 Allan E. Luoma, Army, Sergeant.  
 William R. Lyden, Air Force, First Lieutenant.  
 George Major, Marine Corps, Major.  
 Charles D. Makela, Army, Corporal.  
 Clarence A. Mattson, Army, Corporal.  
 Homer I. May, Army, Sergeant First Class.  
 Earl W. Melsness, Army, Corporal.  
 Robert Mickelson, Army, Private First Class.  
 Elwyn J. Miller, Marine Corps, Private First Class.  
 Roland A. Moore, Army, Master Sergeant.  
 Harold V. Motzko, Army, Corporal.  
 Gerald J. Mueller, Army, Sergeant.  
 Horace H. Myers Jr., Air Force, Major.  
 Lawrence A. Nelson, Air Force, First Lieutenant.  
 William F. Nelson, Army, First Lieutenant.  
 Howard C. Nielsen, Army, Private First Class.  
 Robert F. Niemann, Air Force, First Lieutenant.  
 Larrie D. O'Brien, Army, Private.  
 Kenneth L. Olson, Army, Corporal.  
 Maurice A. Olson, Air Force, Technical Sergeant.  
 Norman E. Olson, Army, Master Sergeant.  
 Robert H. Ostendorf, Army, Private First Class.  
 Chester Ostrowski, Army, Private First Class.  
 Eugene L. Ottensen, Army, Sergeant.  
 Paul P. Pensak, Army, Private First Class.  
 Donwin R. Peterson, Air Force, Private First Class.  
 Norman W. Peterson, Army, Airman Second Class.  
 Phillip O. Peterson, Air Force, Private First Class.  
 Ralph L. Phelps, Air Force, Staff Sergeant.  
 Alvin E. Potz, Army, Private First Class.  
 Daniel C. Randall, Army, Private.  
 Francis J. Reimer, Army, Sergeant.  
 Glen C. Richardson, Army, Sergeant.  
 Alfred D. Richner Jr., Army, Sergeant.  
 Floyd J. Robb Jr., Army, Corporal.  
 Ernest Robinson, Marine Corps, Sergeant.  
 Eugene H. Roering, Army, Private First Class.  
 Raymond C. Rogers, Army, Sergeant First Class.  
 Henry O. Ross, Army, Corporal.  
 Donald L. Rosevink, Army, Private First Class.  
 Floyd A. Roy, Army, Sergeant First Class.  
 Wayne C. Ruud, Army, Private First Class.  
 Donald A. Sangsland, Army, Sergeant.  
 Joseph A. Schaefer, Marine Corps, Sergeant.  
 Richard J. Seguin, Air Force, First Lieutenant.  
 David C. Sewell, Army, Sergeant.  
 Kenneth E. Slagle, Army, Private First Class.  
 Marvin E. Sleppy, Air Force, Master Sergeant.  
 Fred G. Smack, Army, Private First Class.  
 Raymond C. Solberg, Marine Corps, Private First Class.  
 Norris A. Solem, Air Force, Airman Second Class.  
 Bernard L. Splittstoesser, Army, Corporal.  
 John O. Strom, Army, Corporal.  
 James N. Sund, Army, Corporal.

Ernest C. Swanson, Air Force, Captain.  
Richard P. Swanson, Army, Private First Class.

Randall R. Sweet, Army, Corporal.  
Richard H. Todd, Marine Corps, Sergeant.  
James E. Torgeson, Air Force, Corporal.  
Donald R. Torstad, Army, First Lieutenant.

Lloyd O. Twidt, Army, Corporal.  
Fred L. Verant, Marine Corps, Corporal.  
Merco Joe Verrant, Army, Captain.  
Arthur R. Vossen, Army, Corporal.  
Marvin L. Whitehead, Air Force, Corporal.  
Stanton G. Wilcox, Marine Corps, First Lieutenant.

Jerome F. Williams, Army, Private.  
Albert V. Wiswell, Army, Private.  
Jack R. Ziemer, Army, Private First Class.  
Harry R. Zupke, Army, Sergeant.  
Vernie A. Zurn, Army, Sergeant

#### CHINA'S ACCESSION TO THE WORLD TRADE ORGANIZATION—ONGOING MULTILATERAL NEGOTIATIONS

Mr. BAUCUS. Mr. President, I am very pleased that we are approaching the end of our debate on PNTR. This legislation will authorize the President to grant permanent Normal Trade Relations status to China after he certifies to Congress that the terms of China's accession to the WTO are at least equivalent to those agreed in the U.S.-PRC bilateral agreement reached last November.

Before the President can make that certification, the ongoing multilateral negotiations in Geneva must be completed, specifically, the Protocol of Accession and the Working Party Report to the WTO General Council.

China is a nation where a free market and the rule of law are in the earliest stage of development. Accession to the WTO, and our granting PNTR, are just the first steps in that process.

China's integration into the global trade community will not be completed overnight. It will take a lot of work by economic reformers in China. And it will take a lot of work by leaders in the United States and in other WTO members to ensure that China stays on course.

Over the coming years, we will have to put a lot of effort into scrutinizing closely and constantly China's compliance with its commitments. That is why earlier this year I introduced the China WTO Compliance Act. I was glad that some of the provisions in my proposal were adopted by the House. Other issues raised in my bill will be dealt with in a three-year investigation that we on the Finance Committee have requested that the General Accounting Office carry out. And that is why I support the President's request for a significant increase in the resources of the Executive Branch to monitor compliance with trade agreements.

Today, I would like to mention several issues in the ongoing negotiations in Geneva. In addition to informing my colleagues about these issues, I am also using this opportunity to remind our American negotiators and the Chinese leadership about the importance of resolving these issues properly.

Section 401 of the bill states that it is the objective of the United States to obtain, in China's protocol of accession, an annual review within the WTO of China's compliance with its terms of accession. China is a nation where a free market and the rule of law are in the earliest stage of development. The success of the WTO, by contrast, is premised on its members having relatively free markets operating against a backdrop of the rule-of-law. For China's transition to membership in the world trading community to be smooth, China will have to undertake major reforms in many areas, from intellectual property law, to customs procedure, to judicial process.

Some of this is underway. It poses a uniquely massive challenge to China and to the world trading community. Some of the issues that come up may be handled through dispute settlement. But the WTO's dispute settlement mechanism has limited resources, and a flood of China cases could overwhelm the system. Rather than deal with all of China's transition issues one dispute at a time, it is vital to deal with groups of issues as a bloc, through regular annual reviews.

China has objected to having its implementation of trade obligations reviewed every other year, which is the current demand on the table in the protocol negotiations. They want to be treated as a developing country, which means a review every four years. China has also proposed that the focus of such reviews be shifted away from China and instead look at "abuse by any Member of any specific provisions imposed especially on China in this Protocol."

This is absolutely unacceptable. The issue is China's implementation. If China believes that other members are abusing China-specific measures in the protocol of accession, it should challenge those practices in the dispute settlement mechanism. We cannot allow attention to be deflected from China's record.

In June, Canada offered an intriguing proposal, whereby each "subsidiary body" of the WTO, that is, the councils and committees that have responsibility for particular subject matters, would meet in special session at least once a year to review China's implementation of its trade obligations. We should support the Canadian proposal, which is a common-sense approach.

China has insisted for years that it should enjoy the rights and special treatment accorded to developing country members. We must continue to reject China's position on this point. China is unique. It is not simply another developing country, and it should not automatically be allowed to avail itself of developing country provisions in the WTO. China's size, the extent of state ownership, and the transitional nature of its economy and legal institutions, all should be taken into account in deciding the developing versus developed issue in particular instances. It must be on a case-by-case basis.

For example, if China automatically received developing country status for all purposes, it would receive special treatment under the subsidies agreement. Then, export subsidies and subsidies in the form of operating loss coverage would not be treated as prohibited subsidies. The burden of challenging those subsidies in the WTO would be much greater than under ordinary rules. This would be particularly troublesome, given the level of state ownership in China.

This bill contains a safeguard provision (sec. 103) that lets U.S. industries, workers, and farmers obtain relief from surges of imports from China. The provision reflects the terms of the November, 1999, U.S.-China bilateral agreement. Among its provisions is a rule that will govern the granting of relief when there is "trade diversion"—that is, when another country provides safeguard relief from surges of Chinese goods, and the goods are then diverted to the United States.

China has proposed that "trade diversion" would only be considered to exist when there is clear evidence that imports are increasing "significantly and absolutely," and are "a significant cause of material injury" to the domestic industry in the country to which the goods have been diverted.

We must reject this proposal. It is counter to our bilateral agreement in November which included none of these limitations on our taking action.

The safeguard provision, including insulation against trade diversion, is a very important feature of this bill. It ensures that if shifts in trade patterns following China's entry into the world trading system cause or threaten dislocations to American workers, businesses, and farmers, they will be able to obtain relief quickly. We must reject any efforts by China to weaken those commitments.

Under our bilateral agreement, China agreed to protect all rights acquired by American insurance companies prior to China joining the WTO. Specifically, China committed to permit existing insurance branch operations to sub-branch in the future on a wholly owned basis. I understand USTR continues to work with China to correct this situation, both bilaterally and multilaterally in Geneva. I have written to Ambassador Li to make certain he understands the importance I attach to this matter. It is essential that China rectify this situation.

#### ESTATE TAX LEGISLATION

Mr. ALLARD. Mr. President, recently, President Clinton vetoed legislation that would have repealed the estate tax, legislation that I strongly supported. I fundamentally oppose the estate tax. I call it the "death tax." This has been a concern of mine for some time now. In fact, I have previously introduced legislation that would do away with this unfair tax.

Congress has clearly demonstrated its support for easing this burden. The