

Will it give a helping hand? Well, Bush's plan only covers low-income seniors. Middle-class seniors are told they don't need to apply. That is what Bush's plan is. It only helps low-income. For example, if you are a senior and your income is over \$14,600 a year, you get zero, zip, no help at all, from Bush's Medicare proposal.

A recent analysis shows that the Bush plan would only cover 625,000 seniors, or less than 5 percent of those who need help. So his plan is not adequate and it is not Medicare. Seniors want Medicare, not welfare.

The other thing is that under the Bush proposal for Federal care, for his prescription drug program, seniors would probably have to go to the State welfare office to apply for it. Why is that? Because there is an income cut-off. The agencies in the States that are set up to determine whether or not you meet income guidelines for programs are welfare agencies. So that means that under the Bush program, every senior, to get prescription drugs, has to go down to the welfare agency and show that they don't make over \$14,600 a year. That is the first 4 years. Bush's program is for 4 years. States have not acted. As I pointed out, some State legislatures don't even meet except once every 2 years.

They have to go down to the welfare office. It only helps those below \$14,000 a year.

Then what happens after 4 years? After 4 years, Governor Bush's plan becomes even worse because his long-term plan, after 4 years, involves privatizing Medicare. It would raise premiums and force seniors to join HMOs.

The Bush plan is the fulfillment of what Newt Gingrich once said when he wanted Medicare to "wither on the vine." Bush's plan after 4 years will begin withering Medicare on the vine because after 4 years, Governor Bush's program leaves seniors who need drug coverage at the mercy of HMOs.

Under his plan, they don't get a guaranteed benefit package. The premium would be chosen by the HMOs, and the copayment would be chosen by the HMO. The deductible would be chosen by the HMO. The drug you get, again, is chosen by the HMO—not by your doctor, and not by your pharmacist, but by the HMO.

Even worse, the Bush plan would leave rural Americans in the cold. About 30 percent of seniors live in areas with no HMOs. In Iowa, we have no Medicare HMOs. There are only eight seniors in the entire State of Iowa who happen to live near Sioux Falls, SD, who belong to a plan with a prescription drug benefit—eight out of the entire State of Iowa.

HMOs are dropping like flies out of rural areas. Almost 1 million Medicare beneficiaries lost their HMO coverage just this year.

Under the Bush plan, first of all, it is not immediate. States would have to enact these plans. The Governors say they don't even want to do it.

Under the Bush plan, Medicare would "wither on the vine." Premiums for regular Medicare would increase 25 percent to 47 percent in the first year alone, and seniors would be forced to join HMOs to receive affordable benefits.

Mrs. BOXER. Mr. President, will my friend yield for a question?

Mr. HARKIN. Certainly, I will yield for a question.

Mrs. BOXER. It is just a very brief question. I thank my friend. I think that is the clearest explanation I have ever heard of the Bush plan. It is very clear.

Something that I read yesterday reminded me of the days when Newt Gingrich was in control, and as the Senator well remembers, in 1995 it led to a Government shutdown. They wanted to cut \$207 billion out of Medicare over 10 years. And we said that is the end of Medicare. It turns out that Governor Bush in those years said that Gingrich and the Republicans were courageous to do this, and he lauded it. I think if you take that statement and mesh it with what the Senator from Iowa just taught us about his plan, it all adds up now. It is the end of Medicare.

Mr. HARKIN. Here is basically the thing.

Mrs. BOXER. Mr. President, I ask that my friend get an additional 2 minutes.

Mr. THOMAS. I object.

The PRESIDING OFFICER. Objection is heard. The Senator's time has expired.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. THOMAS. Mr. President, I want to again say that we have divided this time, and I expect to live within the divisions that we have agreed to and, therefore, we will try to do that.

Mr. HARKIN. It works both ways.

Mr. THOMAS. Certainly, it works both ways. We have divided the time, and that is the way it is.

ENERGY POLICY

Mr. THOMAS. Mr. President, I want to go back a little bit to one of the issues that is before us that has to do with energy and energy policy.

Certainly, we are faced at the moment with some real difficulties in terms of winter use of heating oil.

There are differences of view as to what we do with the strategic storage. I understand that.

But aside from that, I think in one way or another we certainly need to help those people who will need help this winter in terms of price and in terms of availability.

We had a hearing yesterday with the Secretary of Energy. Quite frankly, I didn't get any feel for where we are going in the long term. What we have done here, of course, over the last number of years with the fact that this administration has had an energy policy—some have accused them of having

no policy; I suggest there has been a policy—is to basically not do anything to encourage, and, in fact, discourage, domestic production. The result of that, of course, has been that since 1992, U.S. oil production is down 17 percent and consumption is up 14 percent. We have had a reduction since 1990 in U.S. jobs producing and exploring for oil. At that point, we had over 400,000 workers. Now to do the same thing, the number is down 27 percent.

We have had a policy that despite the increased use of energy, which is not to be unexpected in this kind of a prosperous time, we have sought to reduce exploration, and we have become more dependent on foreign oil. We are now nearly 57-percent dependent on OPEC for providing our energy sources.

There are a number of things we could be doing that would certainly help alleviate that problem.

One is access to public lands in the West. Of course, in Wyoming 50 percent of the land belongs to the Federal Government. In some States, it is as much as 85 percent.

As we make it more difficult for our oil exploration and production to show up on Federal lands with multiple use, then we see that production go down.

As we put more and more regulations on refiners and have reformulated gasoline, it makes it more difficult. Older refineries have to go out of business. We then find it more difficult to be able to process the oil that we indeed have which is there to be used.

We also, of course, have an opportunity in many ways to produce energy. We could have a very healthy nuclear energy system if we could go ahead and move forward with storage out at Yucca Mountain in Nevada. We have not been able to do that.

We could certainly use more low-sulfur coal.

But we continue to put regulations on the production of those things.

One of the things that seemed fairly clear yesterday was that the Department of Energy has relatively little to do with energy policy, even if they choose to. The policy is being made by the Environmental Policy Council in the White House. It is being made by EPA. It is being made by these other kinds of regulatory agencies. Obviously, all of us want to continue to work to have clean air. Air is much cleaner than it was.

I think what we need to recognize is one of the things that came out again yesterday. Vice President GORE announced some time ago that there would be no more drilling. That is the kind of policy that has been developed.

What we ought to be doing is taking a longer look at where we are going with energy and have some idea of what we will do over the years. It is one thing to be able to work in the next 2 or 3 months and argue about how you do that. But the real issue is where we are in the next year and the year after in those areas where energy is such an important part of our economy.

I am hopeful that the outcome of what we have here with this current dilemma with respect to energy will result in a real, honest-to-goodness debate, discussion, and decision with respect to long-term energy policy and increased access to public lands for potential oil and gas in the Rocky Mountains, offshore, and in Alaska, and at the same time develop techniques where we can do it and also take care of the environment. It is not a choice between the two things.

We should develop tax incentives to try to encourage increases in oil and gas production, particularly in stripper wells. In old production wells, it really hasn't been economic to do that.

We can do some things with respect, of course, to research. We have been working now for a couple of years on a mineral management group to be able to clarify how those charges are made, and we have been unable to do that over a period of time.

There are a number of things: The Clean Air Act, the Clean Water Act, we now have in my State a real activity going on with methane gas production—gas production that we need now under the Clean Water Act. Some Senators are pushing against insertions of fracture used to help with that production. These things are all, of course, inconsistent with some kind of policy which will, indeed, move us forward in terms of energy development.

Refineries are already up to 95 percent of capacity or more. So to actually take oil out of the reserve, if there isn't a refinery capacity, makes it very difficult. Everyone recognizes the difficulty in the Northeast, the major user of oil for heating in the wintertime. That has traditionally been important. We do need to do some things there. We need to provide more fuel. We need also, I am sure, to do something about low-income users.

There are a number of things we need to do. I hope we don't totally get involved in making this a political issue. Rather than trying now to point out what everyone has done or hasn't done, we ought to say, all right, here is where we are; now what do we do? How much can we do to develop domestic production? What are the best ways to do that? How can we move in that direction? How soon can we move forward with that?

Mr. LEAHY. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The Senate is in morning business and the Senator from Vermont has up to 15 minutes.

Mr. LEAHY. Mr. President, is the Senator from Vermont correct in understanding that morning business will not start until he has completed his 15 minutes?

The PRESIDING OFFICER. The Senator is correct.

Mr. LEAHY. I thank the Chair and my fellow New Englander.

LACK OF JUVENILE JUSTICE CONFERENCE

Mr. LEAHY. Mr. President, yesterday I was amazed when I checked my computer, as I do during the day, to see what the latest news items were in our country and around the world. I learned of another tragic incident of school violence in a middle school in New Orleans. Just before noon yesterday, two teenaged boys, age 13 and 15, shot each other with the same gun during a fight just outside the cafeteria at the Carter G. Woodson Middle School. Hundreds of students were inside eating lunch. Both boys are in critical condition.

The growing list of schoolyard violence by children in Arkansas, Washington, Oregon, Tennessee, California, Pennsylvania, Kentucky, Mississippi, Colorado, Georgia, Michigan, Florida, and now Louisiana is simply unacceptable and intolerable.

Over a year ago, May 20, 1999, this Senate passed the Hatch-Leahy juvenile crime bill by a vote of 73-25. It had a number of things that would address school violence, a number of things that would help with the problems of teenage violence, that would create everything from mentoring programs to the prosecution of juvenile delinquents, and it passed overwhelmingly, with Republicans and Democrats alike voting for it.

But we never had a real conference on it. It was stalled. Why? Because the gun lobbies told the Republican leadership that there was one minor problem, one minor bit of gun control—closing the gun show loophole, something that allows people to sell firearms to felons out of the back of a pickup truck at a flea market. One would think everyone would want to close that gun loophole and say everyone will abide by the same rules that the regular gun shops in Vermont or anywhere else have to follow; but, instead, because the gun lobby doesn't want that simple loophole closed, we haven't gone forward with a vote on this juvenile justice bill that goes into so many other areas—helping troubled teens, helping prosecutors, courts, and others with teenage violence.

How many shootings do we have to have before the leadership, the Republican leadership, says we will stand up to the gun lobby and actually have a vote? If this Senate wants to vote against it, let it vote against it. I don't know why the Republicans are so concerned. They have a majority. They can vote against this bill if they want. But vote. Vote "aye" or vote "nay." We are not paid to vote "maybe." We are paid to vote up or down. We should do it. It has been more than 15 months since the Senate acted. It has been more than a year since the only meeting of the House-Senate conference committee on the Hatch-Leahy juvenile crime bill. It was on August 5, 1999 that Chairman HATCH convened the conference for the limited purpose of opening statements. I am disappointed

that the Republican majority continues to refuse to reconvene the conference and that for a over a year this Congress has failed to respond to issues of youth violence, school violence and crime prevention.

It has been 17 months since the tragedy at Columbine High School in Littleton, Colorado, where 14 students and a teacher lost their lives. Senate and House Democrats have been ready for more than a year to reconvene the juvenile justice conference and work with Republicans to craft an effective juvenile justice conference report, but the Republican majority has adamantly refused to act.

On October 20, 1999, all the House and Senate Democratic conferees wrote to Senator HATCH who serves as the Chairman of the juvenile justice conference, and Congressman HYDE, the Chairman of the House Judiciary Committee, to reconvene the conference immediately.

In April of this year, Congressman HYDE joined our call for the juvenile justice conference to meet as soon as possible in a letter to Senator HATCH, which was also signed by Congressman CONYERS.

Last March, the President invited House and Senate leaders of the conference to the White House to implore us to proceed to the conference and to final enactment of legislation before the anniversary of the Columbine tragedy.

This effort to jump-start the stalled conference could not break through the majority's intransigent inaction. That anniversary, like so many others tragic anniversaries has come and gone. We have seen more incidents but no action by the Republican Congress.

The Republican majority has rejected the President's pleas for action as they have those of the American people. Every parent, teacher and student in this country is concerned about school violence over the last few years and worried about when the next shooting may occur. They only hope it does not happen at their school or involve their children.

We all recognize that there is no single cause and no single legislative solution that will cure the ill of youth violence in our schools or in our streets. But we have had an opportunity before us to do our part and the Republican majority has chosen to squander it. We should have seized this opportunity to act on balanced, effective juvenile justice legislation.

I regret that this Republican Congress has failed to do its work and provide the additional resources and reforms that would have been helpful and reassuring to our children, parents, grandparents, teachers and schools.

Mr. LEAHY. Mr. President, my main reason for coming to the floor today is to introduce the Windfall Oil Profits for Heating Assistance Act of 2000.