

developing alternative sources of energy, it went down. But with the glut of oil and the price of oil low, the consumption of oil, imported oil, went up again. Production has gone down. It is certainly indicated on this chart.

Also, I think we have to recognize that one thing has driven everything we do in this country, and that is the consumption of oil. We consume far more than we should. I think that is why the Clinton-Gore administration has stressed the fact that we need to do something to lessen the consumption of oil in this country.

The Energy Information Agency reports that the total petroleum product demand in 1999 grew by over 600,000 barrels a day, or 3.2 percent. That is the largest year increase since 1988.

The transportation-related demand accounted for more than 335,000 barrels per day.

According to the Energy Information Agency, the annual energy outlook for transportation sector energy consumption is projected to increase almost 2 percent per year.

We need to do better.

Of the projected increase in oil demand between now and 2020, 87 percent will be in the transportation sector.

In 1995, the Republican Congress shut down the administration's efforts to study higher fuel efficiency standards for light trucks and SUVs. Major automobile manufacturers fought ruthlessly convincing labor that it would cost jobs in the United States.

This summer when consumers started screaming about gasoline prices, Ford and GM realized they could increase the fuel economy of SUVs by as much as 25 percent. This should have happened many, many years ago. But, of course, the major automobile manufacturers were unwilling to sacrifice anything.

The good news is that we can have better fuel economy without costing jobs or eliminating the features that consumers seek in these vehicles. They have already committed to higher fuel emission standards in Europe and Japan. Why didn't they do it here? Because we were gullible. We in Congress would not allow legislation to go forward to do something about this.

Let me repeat. I appreciate very much the desire of the Senators from Alaska to want to drill in pristine wilderness to create jobs in Alaska, but I think we have to look at the big picture. Jobs in Alaska are not as important as maintaining the last remaining Arctic pristine wilderness we have in America.

I hope we look at what we are already doing in Alaska to increase energy production, and also look to the absolute necessity of doing something about alternative energy, such as wind, solar, and geothermal—and do something with oil shale—doing things such as that so we can become more energy efficient in America and less dependent on foreign oil.

I reserve whatever time we have. I know the Senator from Illinois has been here patiently waiting to speak.

Mr. President, I ask that Senator DORGAN be allowed to follow the Senator from Illinois with the time we have remaining in morning business.

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

Mr. FITZGERALD. Mr. President, the Senator from Washington has requested that he be allowed to speak before me beginning at about 11:10. I would like to go after Senator GORTON because he is only going to speak for about 10 minutes. I will speak for an extended period following Senator GORTON's remarks.

Mr. REID. We have no objection to that. We want to make sure that the manager of the bill on the Democrat side, Senator BYRD from West Virginia, is able to follow the statement of Senator GORTON—the two managers of the bill. I think the Senator from Illinois would not object to that.

Mr. FITZGERALD. I have no objection.

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

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

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

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2001—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of the conference report to accompany H.R. 4578, which the clerk will report.

The assistant legislative clerk read as follows:

A conference report to accompany H.R. 4578, an act making appropriations for the Department of the Interior and related agencies for fiscal year ending September 30, 2001, and for other purposes.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, I am pleased to bring before the Senate the conference report on the Interior and Related Appropriations Act for Fiscal Year 2001. The conference report passed the House yesterday on an overwhelmingly bipartisan vote of 348-69.

The bill provides \$18.94 billion in total budget authority, an amount significantly above both the FY 2000 level of \$15 billion and the President's FY 2001 request of \$16.5 billion. This increase is primarily attributable to two items that I know to be of great interest to my colleagues.

The bulk of the increase over the budget request level is a direct result of the disastrous wildfires that plagued the West this summer. This bill includes the administration's \$1.6 billion

supplementary fire package, as well as \$200 million in additional funds to address rehabilitation needs on the national forests, maintenance and upgrades to firefighting facilities, and for community and landowner assistance. The bill also includes the \$240 million provided in the Domenici floor amendment for hazardous fuels reduction in the wildland/urban interface.

Those areas which public lands abut upon communities, towns and cities, as well as language designed to expedite this work that so desperately needs to be done. This language does not, however, overturn or bypass the National Environmental Protection Act, the Endangered Species Act, or any other environmental statute. In total, the bill provides \$2.9 billion for fire management.

The other element of this legislation that has garnered the most attention is title VIII, the land conservation, preservation, and infrastructure improvement title. This title does two things: First, it provides an additional \$686 million in fiscal year 2001 for a wide variety of conservation programs, including Federal land acquisition, the state-side grant program, forest legacy, and urban park recreation and recovery. These amounts are in addition to the amounts agreed to in conference in the base portion of the bill. In total, funding for these Interior programs is about \$1.2 billion for next year.

Second, title VIII establishes a new conservation spending category in the Budget Act for an array of conservation programs, for the maintenance of Federal land management facilities, most particularly, national parks, and for payments in lieu of taxes. Using the \$1.2 billion provided in the fiscal year 2001 Interior bill as a base amount, plus a notional \$400 million for coastal programs that may or may not be provided in the Commerce, Justice, State appropriations bill, this new spending category is established using a base of \$1.6 billion.

For Interior and CJS programs combined, this new budgetary category will go by \$160 billion per year through fiscal year 2006. This separate allocation may only be spent on qualifying programs, and any amounts not spent will roll over and be added to the following year's allocation.

Title VIII also establishes several subcategories within the broader category conservation category. The allocation provided for each subcategory will only be available for programs within that subcategory and may not be used for other programs. And, like the structure of the broader category, any amounts not appropriated within a subcategory in a given year would be rolled over and added to the following year's suballocation.

The suballocations and associated amounts are shown on the chart. The bottom line is "payments in lieu of taxes" for \$50 million a year—over and above the present payment in lieu of taxes. The next amount is "Federal

maintenance," an amount added specifically at my request. This was originally suggested by House conferees. It glaringly omitted the deferred maintenance in our national parks and our forests and our wildlife refuges, an amount that I think approaches \$16 billion, and a modest start on that over and above the present bill is included in each one of these years.

Next, the orange is "urban and historic preservation programs," the purple is "State and other conservation programs," wildlife grants, wetlands conservation, the Geological Survey, and the like. The red is "Federal and State Land and Water Conservation Fund programs." The green is "coastal programs," basically under the jurisdiction of NOAA, and the "other" beginning in fiscal year 2002 is the \$160 million a year add-on which can be at the discretion of the Congress, devoted to any one of these other programs. That will be decided by future Congresses.

As the allocation for the overall category grows in the outyears, that growth is not tied to any particular subcategory. The suballocations are not caps. There is nothing to prevent the Appropriations Committee from also using its regular allocation to fund any one of these programs that provide additional funding from the overall program growth, the blue part, lines I have just described on the graph.

While this structure is somewhat confusing at first, its effect is to provide some certainty to several programs within the Interior subcommittee jurisdiction which will be likely to receive and maintain substantial increases over the current funding levels. At the same time, it preserves the availability of Congress to adjust specific amounts on a year-to-year basis in response to changing needs performance and other factors.

Finally, of course, any money not spent, while it cannot be spent for any other spending category, obviously will go to pay down the national debt.

The programs that comprise the new spending category are a mix of programs identified as priorities by the administration in its budget request, by supporters of CARA during their deliberations, and by Congress as a whole as represented in the thousands of individual requests that I receive each year as chairman of this subcommittee. I want to emphasize, once again, what I did several months ago when we debated this bill for the first time. I think this year we had 1,100 requests from 100 Senators for programs within Interior—the great majority of which would fall into one of these categories.

Vitally important is the fact that the bill does not create any new entitlements. At the same time, it is not an empty promise. For the same reasons—we rarely see an appropriations bill go to the floor without spending every penny of its allocation—I think it likely that allocations provided in title

VIII will be fully subscribed in each year's appropriations bill. The exact mix of funding will be up to future Congresses, but title VIII does prevent these funds from being taken from the target programs and used for other programs, even other programs within the Interior bills, such as Indian education, health services, Forest Service, the cleanup of abandoned mine lands.

To be perfectly clear, the construct of title VIII is not what I would have dealt had I complete discretion. Nor do I believe it is what the Appropriations Committee would have written with complete discretion. Congress has always had the ability to provide increases to the programs through the regular appropriations process, but it has not necessarily done so due to the resulting impact on other programs and, of course, on the deficit or the surplus. Nevertheless, title VIII represents a fair compromise that reflects the general views of this Congress with respect to these programs, and it has the support of the administration.

Now, the focus in recent weeks has been on wildfires and the conservation funding issues I have just addressed. There are other features of the bill to which I want to draw my colleagues' attention. The conference report provides an increase of \$104 million for the operation of the National Park Service and the U.S. Park Police, including \$40 million to increase the base-operating budgets of nearly 100 parks and related sites. The bill also provides an increase of \$66 million for the management of Bureau of Land Management land and resources, a badly needed boost for an agency that has sometimes received less attention than the other land management agencies, but which has a demanding mission in terms of multiple uses.

The operating budgets of the Fish and Wildlife Service and the Forest Service also receive healthy increases, which I hope will enable these agencies to improve performance in areas such as the Endangered Species Act consultation and recreation management.

In terms of programs designed primarily to benefit American Indians, this bill has a great deal to offer. From the very beginning of this process, I have made Indian education in school construction one of my highest funding priorities. Many colleagues on the committee—particularly my friend, the Senator from New Mexico, Mr. DOMENICI, who is here on the floor—have for years stressed the need for increased investment in Indian schools. This year's budget request provided an opportunity to provide this investment. I am pleased the conference report provides \$142 million for school replacement. This is \$75 million above this year's enacted level and will provide funds for the replacement of the next six schools on the Bureau of Indian Affairs priority list. It also provides funding for a cost-share program for eligible replacement schools, which is designed to provide funding so that

construction of replacement schools can be fully completed in order to remove the school immediately from the BIA priority list. Indian school repairs also increases by \$80.5 million above last year's level.

The conference report also provides significant increases for health services for Indian people, including an increase of \$167 million for health services and \$47 million for construction and repair of health care facilities.

The bill provides continued support for the Department of Interior's efforts to reform its trust management practices. This is a massive problem that has developed over decades, if not the entire 20th century, which will take time and resources to fix. This conference report provides the budget request for the Office of the Special Trustee, and also provides an emergency supplemental of \$27.6 million for activities directly related to recent developments in the Cobell litigation. In addition, the bill provides an increase of \$31.9 million above fiscal year 2000 for trust reform within the regular Bureau of Indian Affairs appropriations.

Of the many cultural programs within this subcommittee's jurisdiction, the National Endowment for the Arts was again the focus of much discussion in the House-Senate conference. The conference agreement maintains the Senate funding level for the NEA—an increase of \$7.4 million above the current year level. These additional funds will be targeted for arts education and outreach programs, and I think are a fitting response to the reforms that the NEA has instituted in recent years. This is the first increase of any significance for the NEA in more than a decade. I am also pleased that funding for the National Endowment for the Humanities is also increased by \$5 million.

For energy programs, this conference report includes funding for several programs that will help reduce our dependence on foreign energy sources, as well as reduce harmful emissions from stationary and mobile sources. The energy conservation account is increased by \$95 million, including full funding for the Partnership for a New Generation of Vehicles—PNGV. This amount also includes increases of \$18 million for the Weatherization program and \$4 million for the State Energy Conservation Program. For fossil energy R&D, the bill provides \$433 million, and establishes a new powerplant improvement program to support demonstration of advanced coal power technologies. This is an initiative that I am sure Senator BYRD will wish to discuss further, because it is one of his favorite items.

There are many other elements of this conference report that recommend its passage by the Senate, but I will only mention one more. Funding for payments in lieu of taxes is increased by \$65 million, including \$50 million provided in title VIII, outlined on this chart. This brings appropriations for

PILT to \$200 million. This increase represents a significant step in raising appropriations for PILT toward the authorized funding level.

I also wish to note two errors in the Statement of Managers. Page 177 of the Statement of Managers indicates that an increase of \$4 million above the House level is provided for "Heavy Vehicle Propulsion within the hybrid systems activity." This is incorrect, and is a result of an error in the conference notes. The \$4 million increase over the House level is for "Advanced Power Electronics," reflecting the amount provided in the Senate-passed bill. On page 194 of the Statement of Managers, the paragraph that begins "Consistent with paragraph (3) and accompanying Senate instruction . . ." should have been deleted.

In closing, I want to again urge my colleagues to support this conference report. It does a tremendous amount of good for the management of our Federal lands, as well as for the conservation of lands and waters whether Federal, state, municipal or private. It is a good bill that has the unanimous support of the conferees of both Houses, and I urge its adoption by the Senate.

Mr. DOMENICI. Will the Senator yield?

Mr. GORTON. The Senator will be happy to yield.

Mr. DOMENICI. Mr. President, I, first, congratulate Senator GORTON. Everything considered—the pressure of the closing, the politics of this season—I think he produced a very good bill and I compliment him. I would like to quickly talk with him about three issues because they have been very dear to me and we have finally come around to solving all three of them in this bill.

First, the American Indian people will thank us because for the first time we are making the case for replacing Indian schools. They are so much in disrepair that nobody would send their kids to them, but there are no other schools to go to; they are out in Indian country, and we, the Government, happen to own them. There has been a dramatic increase this year. Thanks to this committee, we will add six new schools, and we will do a very large amount of maintenance on buildings that desperately need it. If Congress will heed what was discussed, they will do this for 5 or 6 years and get rid of the entire backlog.

Senator, you have heard me for years ask the administration to give us a multiyear budget proposal to take care of Indian schools because if we don't pay for them nobody will. They are ours. This year the President put such language in his budget after consultation with a number of us. It is a little late, but nonetheless the Indian people can finally say, "We see some daylight," with reference to adequate schools for our kids.

Mr. GORTON. The Senator from New Mexico not only states the case correctly but understates his own partici-

pation. I am rather certain that the President would not have made the request without the constant advocacy on behalf of this program from the Senator from New Mexico. I think he can take great credit for this success.

Mr. DOMENICI. I thank the Senator, my good friend, very much.

Second, we debated on the floor of the Senate an interesting sounding amendment. We called it "Happy Forests." It was a \$240 million amendment on this bill on the floor. I thought I was going to get a lot of guff here on the floor because I asked for \$240 million and divided it among the two agencies that control our property, the Forest Service and the BLM. What I wanted to do with the money was to push, with a great deal of vigor, for these two Departments to go out and inventory where the forests were close to our cities, where the forests have grown up, where cities have grown up and where there is a proximity of buildings and people to the forest because that is very risky.

We did strike a positive tone with the administration when they admitted that there were many such cases and many examples. We have cited examples of a city such as Santa Fe in New Mexico where its water resource is right in the forest. If that forest happened to burn, they would lose their water supply. So we thought we ought to pursue this and start a list of those and make the Federal Government start to list the risky ones and then start to clean them up.

We had to argue for 3 days. We got about 75 percent of what we wanted. We gave in to the administration on some in a very valid compromise. But I can say as to number, as many as a few hundred communities that are right in the forests, they should be seeing the Federal Government around coming up with some plans to try to alleviate this underbrush problem and growth that may, indeed, cause these communities to burn when we could prevent it with some maintenance and cleanup.

We have not reached, to my satisfaction, language that will push this expeditiously because they are fearful in the White House that we are going to push some of the environmental laws. We made it clear the environmental laws apply. Nonetheless, there will be some difficulty on the part of the bureaus of the Federal Government because they have to move with some dispatch and they have to advise people a lot more than they ever did about the proximity of fire and the risk to them and where they are scheduled to do the cleanup—where is that? They are going to have to start advising communities.

So I thank my good friend for that.

Mr. GORTON. Again, this was the program of the Senator from New Mexico. I do not think there was any item in the conference committee that was discussed at more length with the administration and in more detail. I am gratified the Senator was able to make a reasonable compromise and I was delighted to support him.

Mr. DOMENICI. I also say, overall, when we make requests of you and your people, and Senator BYRD and his people, I do not think in any case for me we could have been treated more fairly. Every request was looked at carefully. I thank my colleague so much for the many things he was able to do for my State. I will enumerate them and perhaps come to the floor before the Senator is finished and talk with a little more specificity. But I thought before he left his opening statement too far behind, I would like to add my words at the end of it as I have this morning.

Mr. GORTON. I appreciate that. As the Senator knows, this is a reciprocal relationship. The people of the State of Washington can thank the Senator from the State of New Mexico for many vitally important programs that are in the bill for energy and water that he manages.

Mr. DOMENICI. By the way, that is going down to the President soon—I don't know how long it will take—and it will come back here with a veto, and we do intend to work as expeditiously as we can to repass it with the many things that are in there for your sake.

I yield the floor.

Mr. GORTON. I note the presence on the floor of my distinguished colleague, Senator BYRD, my good friend, who also has a great deal of responsibility for this.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. It goes without saying, Mr. President—I have said it many times already—that the chairman of this subcommittee is fully knowledgeable of the contents of the original bill, fully knowledgeable of what is in this conference report, and always—always considerate, always courteous, and is one of the finest chairmen I have ever served with on any subcommittee. And I served with a lot of chairmen of subcommittees. This one is almost without a flaw when it comes to being chairman of this subcommittee.

It is a pleasure for me to serve with him. I would like to be chairman one day, but I am not the chairman, and I fully understand that. If somebody else other than I has to be chairman, I like Senator GORTON. We accomplish a lot for this Nation together. This is a great subcommittee.

I have said many times it really is a western subcommittee, more so than it is eastern, as far as I am concerned. I have said that over the years. But we do our best because somebody has to do the work. I do enjoy it. I enjoy the collaboration we always have in connection with this bill. I do it understanding that the appropriations process is absolutely vital to the operation of Government and that we need to know about that process. We need to always understand the rules and the precedents of Government.

If I had a larger vocabulary, I could say more about the chairmanship that

is rendered by Mr. GORTON. I will not speak further. I could say the same thing with regard to the chairman of the full committee, TED STEVENS. There could not be any finer man. He is always a gentleman. That goes a long way with me around the Senate. He is always a gentleman. He is always considerate of the needs and the problems of the constituents of other Senators. He listens courteously, and he is very straightforward. If he cannot do it, he will tell you so. He tells me that. If he cannot do it, he will tell me so. I like that kind of talk.

Mr. President, I fully support the legislation. I urge my colleagues to support it as well.

I will not reiterate the inventory of programs contained in the Interior conference report, nor their respective funding levels. The chairman has done an excellent job of providing Members with those details. I do, however, wish to point out a new program planned for the Department of Energy because of its significance to this nation's overall energy security.

Within the Fossil Energy Research and Development account, funds have been provided to undertake a power plant improvement initiative. This new effort is vital to our Nation if we hope to continue our economic expansion. Upgrading and renewing our out-of-date and undersized electric power system cannot wait. We cannot sit back and wait for the development of new power sources which, to date, have not proved commercially viable.

The fact is, more than half of this Nation's electricity is generated in coal-fired power plants, a situation that is not likely to change for the foreseeable future.

We are working today by virtue of the lights that are in the ceiling of this Chamber. It used to be in this country that this Chamber was lighted by gas. It was only in this century, the 20th century—and we are not into the 21st yet—it was only in this century that we saw air-conditioning come to this Chamber.

From where does this energy come? What is the source? What is the source of the little light we see at night burning in the top of the Washington Monument?

I made a trip around the world with a House committee in 1955, 45 years ago. We went around the world in an old Constellation, four propellers. We visited many countries. Today it would be called a junket. But we were away 68 days. We visited many countries throughout the world. When I was in high school, I read a book by Jules Verne titled "Around the World in 80 Days." We went around the world in 68 days. Of course, John Glenn went around the world in, I believe it was 81 minutes.

The point I am making is I visited many countries, saw many things, met many high people—kings and princes and queens, shahs. We saw wonderful edifices, beautiful edifices, great edi-

fices, such as the Taj Mahal. But the most enjoyable, pleasurable, satisfying, and comforting thing I saw on that whole trip was when we flew back into Washington and I saw those two or three little red lights in the top of the Washington Monument. There we were, home again, where we could go to the water faucet and drink without fear that we might succumb to some disease. Having been in Afghanistan on that trip and Jakarta and India, Pakistan, Korea, and Malaysia—all of these places where one certainly must not, at that time, drink the water without its being boiled—it brought to me in a very vivid way what a wonderful country we have and how great it is to be home, back in the good old United States of America, where we take so many things for granted.

There were those lights in the top of the Washington Monument, and here are these lights. Take away coal; take away those lights. The great eastern cities of New York and Philadelphia and Boston, the great cities of the East—take away the coal, and it is going to shut down a lot of industries. People will then begin to appreciate that coal miner whose sweat, and sometimes tears, and sometimes blood afford this great country the leisure and the comfort that come from coal-fired plants.

We are working to make this coal more environmentally feasible. We have gone a long way. I have supported appropriations and initiated appropriations for clean coal technology, and we have seen the results of this research that is being done by these funds that come out of the committee on which the distinguished minority whip, Mr. REID, and I sit.

There are people in this Government who, I imagine, would like to see the mines closed, coal mining done away with; shut them down. We know we are in transition, and we are preparing for that eventuality by the fact that we appropriate funds in this committee to produce energy in an environmentally feasible manner.

Mr. REID. Will the Senator yield?

Mr. BYRD. I do yield, with great pleasure, to my friend.

Mr. REID. I ask my friend from West Virginia this question. I can't pass up the opportunity; whenever I hear someone talking about miners, my mind is flooded with thoughts of my father. The Senator and I have discussed what a hard job a miner has. I can remember, as if it were yesterday, my father coming home, muddy and dirty, telling us he had another hard day at the office. The fact of the matter is, he worked very hard. Miners work very hard.

The Senator from West Virginia has done such an outstanding job of protecting miners, and not only coal miners. You have helped us with our gold miners, people who go under the Earth for other types of product than coal.

I also say this to my friend from West Virginia, my leader. This Govern-

ment needs to do more with clean coal technology. We started a plant near Reno, NV, which cost hundreds of millions of dollars. But in the second phase of it, the Government did not come through in helping with that energy-efficient use of coal, and therefore they are going to have to switch and do something else.

The Federal Government has the means now of clean coal technology. But we have been too cheap as a government. We need to spend more money on clean coal technology. If we spent more money on clean coal technology, we would be less dependent on oil. So I want to help the Senator from West Virginia any way I can to make sure we do more with developing clean coal technology. And with the technology we have, let's make sure the Federal Government helps implement this in places such as Reno, at the Tracy plant, so we can do a better job of cleaning the air.

Mr. BYRD. Yes. I thank my friend for his excellent contribution to the colloquy.

Many times, as he has said, we have discussed this matter. He understands the background from which I came—which is a similar background to that from which he came—the coal mining; in his case, gold mining; in my case, coal mining. Sometimes we refer to it as "black gold."

This coal has provided the livelihood for thousands of miners over the years, who have risked their lives to go into those coal mines. So research, I have believed during the years I have been on the Senate Appropriations Committee—42 years—is the answer to many of the things, research. And through research, mining has been made more safe. We have fewer and fewer miners being killed annually than we have had in the past.

It has been a very bloody—a very bloody—employment and a very bloody industry, if you go back over the years. So we have improved the safety. We are helping to clean up the environment. We are understanding ways in which coal may be mined more cheaply. And that is the result of the moneys that have been appropriated through this Subcommittee on Interior.

As I have already indicated, I have appropriated, I have been the source of the appropriations of millions of dollars for clean coal technology. And I have to say that my own administration has several times, in the budget that has been sent up here to the Congress, recommended deferring—deferring—some of these moneys, using these moneys that are there for clean coal technology, using them for something else, or even rescinding some of those moneys.

Now I have fought—fought—these budget recommendations off several times. So I think we have reached the point where the Presidential candidates need to talk about this. And I hope they will.

Given that reality, it makes good, common sense for the United States to

try to ease the demand on the existing fleet of electric plants. And, so, the conferees have included this new power plant improvement initiative in an effort to bring business and Government together in a productive partnership that will produce more energy, yet cleaner energy. I am pleased that this effort is being made, and I thank the distinguished chairman for his help in ensuring that our Nation's energy needs continue to be a top priority.

I thank the other members of the Appropriations Committee. And I thank our colleagues on the other side of the Capitol on the Appropriations Committee there who have worked with us in this regard.

Beyond this particular program, let me also say how much I appreciate the chairman's overall support for projects and programs of importance to the minority Members of this body. I have already referred to that, but I think it bears reflecting upon again. As always, his graciousness, his dedication to duty, and his steadfast commitment to working in a bipartisan manner have made this conference far less arduous than it might otherwise have been. Despite all the tangents that conferees are wont to go off on—if left to their own devices; and I understand how that is very easily done—Senator GORTON never lost sight of the ultimate task at hand.

So in my opinion, based on my experience, he is the consummate professional. And he and his staff—we must not forget the staff. We often hear that the clothes make the man. Well, I must say, based on my experience here, that the staff, in large measure, make the Senator and help to turn the wheels of the Nation. So our staffs are to be commended for their efforts.

I urge all my colleagues, Mr. President, to support this conference report so that we can send it to the White House for the President's signature.

I yield the floor.

The PRESIDING OFFICER (Mr. BURNS). Under the previous order, the Senator from Illinois is recognized.

Mr. FITZGERALD. Mr. President, I am here to speak on the \$120 million Abraham Lincoln Library, for which there is authorization language in the Interior Subcommittee appropriations bill.

Last night, the Senate passed separate legislation authorizing \$50 million of Federal funds for the construction of the Abraham Lincoln Library in Springfield, IL. The library is intended to be built with a mixture of State and Federal funds. The total cost of the project would be about \$120 million.

The Senate, in adopting its authorizing language, attached an amendment, that I put on, that required this library, this monument for "Honest Abe" Lincoln—that all the construction contracts on it be competitively bid in accordance with the Federal competitive bid guidelines.

That language cleared the full Senate last night. The Senate went on record

in favor of a requirement that this Abraham Lincoln \$120 million library carry with it the requirements that all contracts be competitively bid in accordance with Federal procurement law, the purpose of which is to prevent political favoritism in the awarding of construction contracts and also to get the best value for the taxpayer.

I rise to speak on the Subcommittee on Interior appropriations bill because there is language in the bill that authorizes \$50 million in Federal funding over several years for construction of the Abraham Lincoln Library. However, the language requiring competitive bidding of the construction contract has been stripped out of the conference report.

The Governor of Illinois is opposed to the attachment of Federal competitive bidding guidelines and apparently asked for House assistance to go around the Senate, which has spoken on this issue and gone on record in favor of the Federal competitive bid guidelines.

I support construction of the Abraham Lincoln Library in Springfield, IL. If it is done properly, it could be a wonderful treasure, not only for the city of Springfield and for the State of Illinois but, indeed, for the entire Nation. Of course, Springfield, IL, is where "Honest Abe Lincoln" lived. He lived there for many years. He is responsible for making it the State capital of Illinois. When Abe Lincoln served in the State legislature in the early part of the 1800s, he was successful in leading a drive to move the State capital from Vandalia to Springfield, IL. For several years, he represented Sangamon County in both the Illinois Legislature and later for a period in the U.S. Congress. Of course, his debates for the Senate seat with Stephen Douglas of Illinois in 1858 are legendary.

I am very proud to hold the seat in the Senate that Abraham Lincoln and Stephen Douglas vied for in 1858, before, of course, Abraham Lincoln went on, in 1860, to be elected the first Republican President of the United States and one of our greatest Presidents ever.

There are several Lincoln attractions in Springfield, IL. I am sure many of my colleagues and many of the people in the gallery have visited Lincoln's home in Springfield, IL, which is run by the National Park Service. It is maintained with a great deal of care. It is a wonderful attraction. I went there as a boy, and I have returned there many times since. Senator DURBIN and I both have our Springfield district offices in the Lincoln home neighborhood, which has been renovated and restored to the way it was when Abraham Lincoln and his family lived there prior to his becoming President.

We also have in Springfield the Abraham Lincoln law office. One can actually go into the very same building in which Abraham Lincoln practiced law for many years in Springfield. He rode the circuit. He did not just practice law

in Sangamon County but practiced law all over central Illinois.

In recent years, we have turned up many original legal pleadings and filings drafted by Abraham Lincoln. Many of those documents are now scattered all over the State of Illinois. It would be a wonderful achievement if we could finally have one great Lincoln Library in Springfield to bring all the Lincoln artifacts in the possession of the State of Illinois, as well as whatever members of the public donate for this library, into one tasteful, well thought out monument to the man who is arguably the greatest President of the United States, the one who saved our Union at its hour of maximum peril.

I am concerned that if we don't have tight controls over taxpayer money that is going to build this library, we run the risk of winding up not with a \$120 million Abraham Lincoln Library but instead a \$50 million building that just happens to cost \$120 million. I think there could be no worse or uglier irony than to have a monument for "Honest Abe" wind up being a gigantic public works project on which a bunch of political insiders wind up lining their pockets at taxpayer expense.

Let me share some background on the Abraham Lincoln Library, where the idea first started, and how it has changed over the years. I think my colleagues will see that I have reason to be concerned about the growing cost of the project and certainly the magnitude of it within the city of Springfield.

This is a time line: "The Lincoln Library Project Time Line and Interesting Facts."

Back in February 1998, then-Governor Jim Edgar proposed construction of the Lincoln Presidential Library in Springfield and committed \$4.9 million in State funds for initial planning and design. At that time, the projected cost of the project was not \$120 million. The projected cost was \$40 million. They said it was going to come from State, local, and private funds.

Later on, in May of 1998, the project was no longer a \$40 million project. It had grown 50 percent in those few months. It was now a \$60 million project. According to the Copely News Service, on May 13, 1998, the estimated cost of the Lincoln Library was raised to \$60 million, an increase of 50 percent. Senator DURBIN and my predecessor, Carol Moseley-Braun, and Sid Yates, who was at that time the ranking member on the House Interior Committee, were seeking \$30 million in Federal commitment for the project. They wrote that the State and the city of Springfield were willing to commit up to \$30 million in funds to match Federal support. That was May of 1998. We had gone from \$40 million up to \$60 million.

By April 1999, less than a year later, the project price tag had gone up again, this time a little bit more significantly. "Illinois Historic Preservation Association authority spokesman

says library may cost as much as \$148 million." We have gone from \$40 to \$60 million, and now we are at \$148 million. I believe, now, today, since April 1999, they are talking about \$115 or \$120 million. Gratefully, the cost or the projected cost has gone down from April 1999. We are talking today about a \$115 or \$120 million project. That is a big building for Springfield, IL.

These are Illinois structures and cost comparisons. This is taken from a State Journal-Register article of May 1, 2000. The State Journal-Register is the newspaper in Springfield, IL. They apparently did some figuring and estimated the cost, adjusted for inflation, of many of the other prominent buildings in the city of Springfield, IL.

Our State capitol in Illinois was built between 1868 and 1888. The estimated cost, adjusted for inflation, of constructing the State capitol in Springfield, IL, is \$70 million. The State Historical Library, constructed from 1965 to 1968, would cost \$13 million to build today. Keep in mind that with this project—the Lincoln Library—we are talking about a \$120 million building. The State Library, redone in 1990, was \$6 million; Lincoln's Tomb, done in 1865, \$6 million. The Dana-Thomas House, a Frank Lloyd Wright home, which I believe the State owns and manages, built between 1902 and 1904, would cost \$9 million.

Now, the State has a revenue department. It is one of the largest departments of the State, and it has a fairly new building that goes back to the early eighties, one of the very large State office buildings in Springfield that was built between 1981 and 1984. The estimated cost, adjusted for inflation, of building it today is \$70 million. They have a gigantic convention center in Springfield called the Prairie Capitol Convention Center, constructed between 1975 and 1979. The estimated cost, adjusted for inflation, of building that giant Capitol Convention Center today would be \$60 million.

There are also some very notable private buildings in Springfield, IL, that are quite large and significant. One is the Franklin Life Insurance Company building, built between 1911 and 1913. The estimated cost, adjusted for inflation, of building it today is \$44 million. The Horace Mann Insurance Company building, built from 1968 to 1972, would be \$34.5 million.

So, again, the Abraham Lincoln Library is going to be almost twice as costly as any of these other buildings—almost twice as costly as the State capitol, even though the capitol, I believe, is projected to be about two times the size of the projected Abraham Lincoln Library. We are talking about a very substantial building. It is interesting to note, as well, that the Ronald Reagan Library—a Presidential library which opened in 1991—cost \$65 million.

I have indicated to you the magnitude of this project as being something that caused me to really focus on

the details of the taxpayer money involved. I noted the size and scope of the construction project, how it had grown from \$40 million to \$60 million to \$120 million in projected costs over a very short period of time. But I also want to refer you to the language in the Interior conference report now on the floor of the Senate, which has come over to us from the House.

The language in the conference report does not tell the people of this country to whom the \$50 million is going to be paid. The language of the conference committee report says the \$50 million will go to an entity that will be selected later. We are talking about \$50 million. Everybody is acting under the assumption that this money is going to be given to the State of Illinois. I think it should be noted that there is no requirement in the conference committee report that is before the Senate that this money is required to go to a public source, such as the State of Illinois. It is required to go to "an entity" that will be selected later. Now, could that be a private entity? It appears to me it could because there is nothing in the conference committee report that would prevent it from being paid to a private entity. It says an entity that will be selected later by the Secretary of the Department of the Interior in consultation with the Governor of Illinois.

Now, under the language as it is worded, they could possibly give that \$50 million to an individual. I hope that will not happen. I hope the Secretary of the Interior and the Governor of Illinois will not decide to take \$50 million of taxpayer money and give it to an individual. But they could under the language before the Senate. There would be no violation of the law if they did. They could also give it to a private corporation. There would be no violation of this conference committee report if the Secretary of the Interior, in consultation with the Governor of Illinois, steered this money to a private corporation. If that were to happen, this money would just have gone out of the public's hands and out of the public control into an area where we could no longer really put much in the way of restrictions on what they did with it. Pretty much the only requirement in the conference report is that this entity, to be designated or selected later, will have to show its plans for the construction of the library.

There is a private entity out there called the Abraham Lincoln Presidential Library Foundation. As far as I can tell, this is a private, not-for-profit corporation that has filed with the Illinois secretary of state's office on June 20, 1990. It has an address of 10 South Dearborn Street, Suite 5100, Chicago, IL. The registered agent's name is J. Douglas Donafeld. I recall Mr. Donafeld as a lawyer in Chicago who does lobby work in Springfield. The corporation's name is the Abraham Lincoln Presidential Library Foundation. This foundation, according to published reports

that I have read, has three directors on its board—a Mrs. Julie Cellini, who is head of the Illinois Historic Preservation Agency; Lura Lynn Ryan, the First Lady of the State of Illinois; and Pam Daniels, the wife of Lee Daniels, the Republican leader in the Illinois State House of Representatives. I hope the Governor of Illinois and the Secretary of the Interior will not give these public funds to the private corporation called the Abraham Lincoln Presidential Library Foundation because, if that were to happen, then no one's competitive bid laws, no one's procurement laws would be attached and the money could really be out of the taxpayers' control.

Assume, for the sake of argument, that this \$50 million in Federal money would not be given to a private individual or a private corporation and that the Secretary of the Interior and the Governor of Illinois would want it sent to the State of Illinois. I think it is a reasonable assumption that the State of Illinois would turn the money over to the State Capitol Development Board, which usually builds State buildings such as this—builds State prisons and has built the State of Illinois building in downtown Chicago. It is a reasonable assumption that if the entity selected to receive the \$50 million is not a private entity, the money would go to the State and the State would turn it over to the Capitol Development Board, which is known as the CDB for short.

The State contends that if the money is handled by the CDB, the State's procurement law for its competitive bidding laws that applies to the CDB and to other State agencies, such as Central Management Services, and apparently most of the rest of the State government, that its code would apply to the construction of this library and that its code would require competitive bidding of the project.

The Governor of Illinois contends that there is no need for the Federal competitive bidding guidelines to be attached because in his judgment the State procurement code is sufficient.

He also points out that I, PETER FITZGERALD, Senator from Illinois, when I was a State senator representing the northwest suburban Chicago area district in the Illinois State Senate, voted for that procurement code. Indeed, I did in 1997. I believed that code appeared to represent an improvement over the prior procurement code in the State of Illinois. But I regret that there was a loophole in that State's procurement code that I missed in 1997. I regret that I missed it, and I want to make doubly sure that we don't repeat another loophole in this particular project. I didn't recognize this loophole until I sat down and compared the State code side by side with the Federal code.

In my judgment, there are two main problems with the State's competitive bid code.

There are many instances in the State procurement code where there

are fairly narrow exceptions to the general requirement for purchases of goods and equipment, building construction contracts, and leases. There are some narrow exceptions sprinkled throughout the code to the general requirement that the project be competitively bid with an overall push towards trying to get the lowest cost bid built into the code. But most of the exceptions built into the code to the competitive bid requirements are fairly narrow.

If the State does not use competitive bidding to buy something, they typically will have to give notice and file written reasons for not going forward with competitive bidding.

But here is a loophole. And here is why this loophole is relevant to this major gigantic project.

Within the part of the State procurement code that deals with the Illinois Capital Development Board, which, as I have explained, is the board or State agency that would be required to construct the Abraham Lincoln Library, provided the Governor of Illinois and the Secretary of Interior don't channel the \$50 million in Federal money to a private entity outside the control of anybody but the board of directors of that corporation, the Capital Development Board has a special section in the procurement code. They have a special exemption.

Let us read the Capital Development Board special exemption. You don't need to be a lawyer to understand that this is a rather broad loophole in the portion of the Illinois Capital Development Board's procurement code.

This is from an Illinois statute. This is binding law in the State of Illinois, passed by the Illinois General Assembly, and signed into law by the Governor of Illinois.

30 I.L.C.S. 500/30-15: (b) says:

Other methods. The Capital Development Board shall establish by rule construction purchases that may be made without competitive sealed bidding and the most competitive alternate method of source selection that shall be used.

The code clearly contemplates that the Capital Development Board shall not have to use competitive bidding; that they can opt out of competitively bidding for this construction contract. That language is plain as day.

The Capital Development Board, in seeking to oppose my amendment which requires the application of Federal competitive bid laws, has circulated a letter that says they have to competitively bid the project under State law. However, their letter makes no reference or attempts to abut this provision of State law.

Here is what their letter says:

DEAR SENATOR FITZGERALD: Competitive bidding has long been the requirement for State of Illinois construction contracts and was most recently reaffirmed with the passage of the stricter Illinois procurement code of 1998. Only six exemptions to that provision, which are defined by rule and must be approved by the director, exist.

And then they name the exemptions: No. 1, emergency repairs; No. 2, con-

struction projects of less than \$30,000 total; No. 3, limited projects such as asbestos removal for which CDB may contract with correctional industries; No. 4, an architecture program which follows a separate procurement process; No. 5, construction management services which are competitively procured under a separate law; and, No. 6, sole source items.

I am not sure what the sole source items are.

But, in any case, they don't refer to this section of the law which seems to me is plain as day.

I am a lawyer, so I didn't find it confusing. I have run it by nonlawyers, and none of them have been unable to understand this. It doesn't seem as if there is any ambiguity here.

It says, "The Capital Development Board shall establish by rule construction purchases that may be made without competitive sealed bidding." So they can establish a rule that they can do this without competitive bidding.

What does it mean when they establish a rule, when they say "rule"?

The Capital Development Board can just write its own rule. It has that authority from the Illinois General Assembly to write its own rule. And in this authority to them to write its own rule, we have an unchecked level of discretion on the part of the State that, in my judgment, leaves too much room for abuse by political insiders in the State of Illinois.

When I saw that was in the bill originally authorizing this appropriations, which as I said, the Senate passed last night with my amendment requiring Federal competitive bid guidelines, and my staff showed it to me, we said this is a giant loophole.

As one paper in Illinois has editorialized it, it is a giant loophole for which you could drive a whole convoy of Illinois Department of Transportation trucks.

I regret that I missed that when I voted for this procurement code of which I was a part back in 1997.

I asked the Congressional Research Service if there was a comparable loophole in the Federal law.

In a memorandum to me from an attorney in the Congressional Research Service at the Library of Congress, it says:

The exception found in 30 I.L.C.S. 500/30-15, which permits the Capital Development Board to establish by rule construction purchases which may be made without competitive sealed bidding, does not have a comparable provision in Federal procurement law. On its face it appears to be a rather broad exception to the requirement for competition in awarding State construction contracts.

I think it is very clear that is a giant loophole that should not be allowed in a project of this magnitude. Mr. President, \$50 million of taxpayer money from the Federal Government is a lot of money. How many Americans are working day in and day out, some families with parents working 2, 2½, sometimes 3 jobs just to pay the taxes, just

to pay the cut extracted by Uncle Sam. The American people are fundamentally very generous with their money. They will permit reasonable expenditures for their community, for their State, for worthy projects, but we owe it to all Americans—not just those Americans in my State of Illinois but Americans all over the country—to take great care with their money and to treat it no less carefully than we would treat our own money.

I sometimes wonder whether those who oppose closing this loophole by substituting them with the Federal competitive bid guidelines—which are much more comprehensive, much more thoroughly defined, and which a lot of thought has gone into—if they were building a house, wouldn't they competitively bid or insist that their house be competitively bid if they had to pay for it out of their own pocket? I think they would. I think they would do what they could to secure the best possible value for themselves. And I think we in government ought to try and treat the taxpayers' money with the same respect we treat our own.

As to another point on the State of Illinois code with respect to competitive bidding, this is a very subtle omission. This is a problem not just in the portion of that code which deals with the Illinois Capital Development Board; it is a problem that permeates the whole code. This is the one loophole that I didn't fully appreciate until I sat down and read the Federal procurement guidelines, side by side, with the State guidelines.

The Illinois rules where sealed competitive bids are required—as we have shown, it is not required; the Capital Development Board can opt out of competitive sealed bidding, but where the code does require competitive sealed bidding—and maybe in this project the State would not opt out of competitive sealed bidding, but say it applied its own competitive sealed bidding guidelines. It is interesting there is a lot of language in the procurement code that gives the State the appearance of a regulator.

On its face, there are a lot of fairly ordinary provisions one would expect in a State procurement code. One thing is interesting. The State code, when it requires the State to go out and solicit bids—say, for a construction contract—they are required under the State code to tell the bidders in advance what criteria the State is going to evaluate in selecting bids. In other words, the State would have to tell prospective bidders how they are going to select the contractor and presumably they would tell prospective construction contractors that they are going to look at cost, workmanship, experience, quality, management. There could be all sorts of factors at which they are going to look. And they have to tell the bidders, in advance, what factors they will look for.

It is interesting; the State code doesn't require the State officials to

tell the bidders the relative weight or importance of each of those criteria. The Federal code does. Federal law requires that sealed bid solicitations disclose in advance all significant bid evaluation factors and the relative importance of each factor and whether nonprice factors when combined, will be accorded more, equal, or less weight than price.

The citation for that Federal requirement is at 41 U.S.C. section 253(a). The State code, by not requiring that the State tell you in advance what weight they are going to assign the different criteria, allows a purchasing officer for the State to pick any bid he or she wants and explain his decision by saying that the one factor for which that bid was better or the combination of factors for which that bid was better was the most important factor.

That subtle omission in the State law allows practically any decision the State makes to be rationalized after the fact. So, conceivably, somebody could come in, and say we have a \$1.5 million construction project. Somebody bids \$1.4 million; the other bidder bids \$1.6 million. The State can give the award after the fact to the high bidder, the \$1.6 million, and say they decided the management experience and the quality of the higher bidder was more important than the cost that you, the low bidder, offered. They could move the goalpost after the fact and there would be nothing the losing bidder could do. There would be no challenge. There is no State procurement law because no State procurement law was violated. In fact, it would be very difficult to violate the State rules.

When I reflected on this, it occurred to me that after almost a lifetime of living in Illinois and reading about procurement scandals and reading investigative report after investigative report by the Chicago Sun Times, the Chicago Tribune, the Associated Press, on leases that ripped off the State, on construction projects that ripped off the State, on contracts of many sorts on which the taxpayers appeared to not have made out well, we rarely, if ever, heard of any legal challenge or of any prosecution. It is very hard to violate the State code. It is that subtle omission. I believe that needs to be tightened up.

The Federal code is much better at buttoning down the procurement officials, and under the Federal law we hear of challenges to Federal officials awarding bids to somebody. If there is a basis for challenging it because the bidder whose bid was rejected can say, hey, these procurement officers told me that cost was 75 percent of it and workmanship was the other portion, but they violated those guidelines. The Federal law does a better job of pinning down the State officials so they cannot keep moving the goalposts and award the projects to their political friends.

In my judgment, the Federal code does a much better job of lowering the

potential for political favoritism in the award of contracts using taxpayer money.

If I may, for a moment, I would like to now turn to the context, the overall general context in which I come to the Senate floor to argue against language in this conference committee report that comes to us from the House with the requirement of competitive Federal bidding of the \$120 million Abraham Lincoln Federal Library in Springfield, IL—the requirement of competitive bidding according to Federal laws—stripped out of it.

I reviewed early on in my discussion how the cost of this project had gone from \$40 million to \$60 million to \$120 million; that we are talking about a lot of money. This would be a monstrous building within the city of Springfield, one of the biggest buildings, in fact, save for the Springfield Memorial Hospital. But I also want to give the rest of the picture, the other parts of the puzzle that cause me to have great concern and to feel as strongly as I do that there ought to be tighter controls on the spending.

Illinois has a long history of having had problems in State procurement. There have been questions before about capital construction projects involving the Capital Development Board. In fact, I would like to read an editorial from the Peoria Journal Star, dated Wednesday, March 16, 1994:

To the Illinois Capital Development Board for giving River City's construction companies an unfair advantage—thumbs up.

Giving an unfair advantage in bidding to manage construction of a southern Illinois prison, River City submitted the low bid and the board's staff recommended its acceptance. But the board rebid the project and awarded it to a Chicago firm, knowing what River City had bid, which, knowing what River City had bid, lowered its own offer. The process is doubly tainted because the Chicago firm, together with its subcontractor, had donated \$10,000 to a previous Governor's campaign. The perception, rightly or wrongly, is that River City lost the contract because it didn't ante up.

There is another article about a more recent capital construction project. This is an article from the Chicago Tribune, dated January 6, 2000. The headline is:

New Prison Benefits Ryan Pal: \$33,000 payday seen in land deal.

The article is by Ray Gibson, a Tribune staff writer. I would like to read this article because I think it shows the problems that can occur. I would like to set forth the context, why one could, on a large construction project in Illinois, reasonably be concerned about whether the money is all channeled into the project and that none of it is frittered away in rewarding political pals.

When Gov. George Ryan announced last month that his home county of Kankakee was the winner in the latest Illinois prison derby, he talked about how the new \$80 million women's facility would create jobs and other opportunities for economic development.

What he didn't say was that one of the first to benefit would be one of his top supporters

and fundraisers, real estate developer Tony Perry, who was among the dignitaries on the date for Ryan's announcement.

Perry, acting at Ryan's behest as the point man for Hopkins Park and Pembroke Township's bid for the new prison, personally acquired options on the 120 acres the state will buy to construct the new women's facility.

By Perry's own account, the current owners will pay him about a 5 percent real estate commission, which would amount to about \$33,000, when he exercises his options to acquire the land. Then he will sell the land to the state. Right now, he says, he plans to sell the acreage for the same price he will pay—about \$5,500 an acre.

But state officials say that price is still open to negotiation and his profit could be higher. And Perry also acquired options on two other tracts of land near the prison site that are almost certain to be developed.

A Tribune examination of how Perry, the governor's longtime friend, came to act as the middleman for the proposed prison construction illustrates anew the financial advantages political insiders reap under Ryan, already under fire for questionable leases of state facilities during his tenure as secretary of state.

Perry's role in the selection of Hopkins Park and Pembroke Township for the prison site began last summer, as the sweepstakes among Illinois communities vying for the new penal facility got under way.

At a luncheon, Perry said—he doesn't recall where—the governor asked him to help the impoverished Kankakee County communities complete the required paperwork to finalize their bid for the new facility.

Perry went to work, first meeting with local officials.

"Tony Perry told us the governor sent him. . . . The governor sent him to make sure the paperwork got done correctly," said Hopkins Park Village Clerk Pam Basu, who opposes the prison project.

Then Perry set about meeting with landowners to persuade them to sell the farmland, and he personally obtained options to acquire 480 acres, representing three proposed sites in the area. Although the state now needs only 120 acres for the site, Perry originally obtained options for three 160-acre parcels of land.

He researched the cost of supplying utilities to the site and rounded up vital statistics about one of the state's poorest communities.

For all that work, Perry was not paid, according to local officials.

But now that the state is set to acquire 120 acres of land where the new women's prison will be constructed, Perry says he stands to make a 5 percent commission—or about \$33,000—from the sale of the land to the state.

Perry's role in the development now has touched off a local controversy. According to Basu, the decision to allow Perry to act as the communities' representative was never discussed at any township or municipal board meeting. Nor was his agreement with the sellers to act as a real estate agent and collect a fee ever disclosed, she said.

Nonetheless, other local officials said Perry's help was vital to the communities securing the prison.

"He was the key component. He was very instrumental in helping," said Hopkins Park Mayor David Legett.

But others say Perry's commission, and Ryan's decision to tap him for the job, is just another example of insider politics.

"To me, it sounds like more ways to take care of his close friends," said Jim Howard, executive director of Common Cause, a taxpayers lobbying group. "It just reinforces the public attitude how bad and dirty politics is in Illinois."

Perry's role in the Hopkins Park prison is unusual on several counts. This will be the first time in two decades that the state will pay the entire cost to buy private property to construct a new prison. During 26 previous construction projects, the local communities vying for the prison sites have either supplied the land free or paid a portion of the state's purchase price. If the state only reimburses Perry for his cost per acre, it stands to pay \$660,000 to acquire the land, the first time the state has paid so much to acquire a prison site in at least 20 years.

A spokesman for the governor would not comment on why Ryan asked Perry to step in and help with the application other than to say that Perry was a real estate professional who has a long history in economic development in Kankakee County.

While many of the communities participating in the prison derby hired lobbyists, Perry's role was unique in that he, and not local public officials, acted as the point man for the project.

"He was pretty much spearheading the communities effort," said Nic Howell, a spokesman for the Illinois Department of Corrections. "He was the contact."

Howell said the agency did not know if Perry was being paid.

"I have no idea. None whatsoever. I don't know that he's not doing this out of the goodness of his heart," said Howell, adding that he was unaware that Perry would receive a commission on the sale from the seller.

Howell said the state wouldn't make any offer to buy the property from Perry until after it does appraisals.

Perry said that he is now trying to spur development around the new prison, but he insisted he is not going to act as a developer. He has been meeting with builders and developers and trying to woo them to bring everything from housing to industrial development to the area.

"I am not the developer. I am the orchestrator," he said.

State officials will spend millions of dollars to bring utilities such as sewers, gas, and water to the prison site from as far as two miles away, improvements that will increase the value of nearby properties as well.

If the prison's construction fulfills the communities' dream of development, the land near the prison could be filled with gas stations, restaurants, housing and other development.

Perry also has options to purchase two adjoining 160-acre parcels of land that were also proposed for the prison site. He said in a recent interview that he will not execute the options to buy those 320 acres, saying it would be improper to benefit as a developer.

"I can't work on somebody's behalf" and turn around and develop the property, he said.

Perry is a longtime friend of Ryan's and a fundraiser. Just four weeks after Ryan announced in September 1997 his intention to run for the governor's office, Perry chaired one of the first major fundraisers for Ryan's campaign in Chicago.

Since 1994, Perry and the firms that he operates have donated nearly \$19,000 to Ryan's campaign fund. One of Perry's ventures, a nonprofit corporation that was formed to help economic development in Kankakee County, donated \$2,250 to Ryan's campaign, despite federal tax laws that prohibit it from making political donations.

State officials and Ryan have contended that there were plenty of good reasons why the site was selected over bids from the two other finalists, Freeport and Wenona.

Pembroke Township is statistically one of the poorest areas in the state and nation. Fifty-two percent of its 3,657 residents live

below the poverty level, and its unemployment rate is four times higher than the state's rate. The site also is close to the Chicago area, where many of the prisoners' families reside.

Even Ryan joked at the Dec. 9 press conference when the site selection was announced that his roots in the county may have influenced the decision.

"This is one of the advantages in supporting a local guy for public office," he said. "I can't imagine this would've happened if I hadn't been elected governor."

Despite the potential for enormous economic assistance from the project, not all Pembroke Township residents are throwing out the welcome mat for the prison.

A group of about 200 residents called Pembroke Advocates for Truth sprang up in the last several months to try to stop construction, saying they don't believe the economic benefits will trickle down to the community. They point to Perry, who lives in nearby Bourbonnais, as an example of how outsiders are more likely than locals to reap the benefits.

"There are a lot of angry people out here," said Beau, who is a member of the group.

Perry said Ryan approached him and asked him to help because the two communities needed assistance with the paperwork. Perry said he contacted local officials and offered his services.

A Ryan spokesman said the governor "doesn't recall the conversation quite that way," but he declined to elaborate.

Records show that Perry paid little, if anything, for the options on the property. Because no cash was needed for the transactions, either Pembroke Township or Hopkins Park could have entered into the option agreements with the local landowners, as did another finalist, the City of Freeport, records show.

Perry told the state in September that it could expect to pay \$6,100 an acre for the 160 acres it would purchase. The state recently has said it will purchase only about 120 acres.

Now, Perry said he will sell the land to the state at \$5,500 an acre, the price he is paying the owners.

(Mr. SMITH of New Hampshire assumed the chair.)

Mr. FITZGERALD. Mr. President, there have also been a number of problems involving Illinois leases that go back a number of years. I turn my attention to an examination of State leasing practices. We have, thus far, been dealing with the State procurement code, how it bids out projects for construction, but also part of that code governs how the State handles its leases and whether it competitively bids leases for office space or other space that the State of Illinois may give.

In an examination of this overall context of insider deals that have happened and swirled around and been going on in Springfield for a very long time, I want to focus on a couple of articles that go back a little bit further to December 29, 1992.

There was at that time a series that was run in the Chicago Tribune that was called "Between Friends. In the new era of patronage, the politically connected get something better than jobs—lucrative government leases."

This article I am going to read is the third in a series. The headline is "Helping Their Cronies Is The Lease Politi-

cians Can Do." The byline is by Ray Gibson and Hanke Gratteau:

Before Paul Butera decided to shut down and sell his grocery at 3518 W. Division St., his telephone started ringing.

The interest in his property, an enormous parking lot backstopped by a single-story brick structure of 30,000 square feet, astonished him.

Located in a working-class area, the grocery had served Butera's family well for four years. But business had waned since a large grocery complex opened nearby. Although he had yet to list the property with a real estate broker, Butera began getting calls about whether the Humboldt Park property was for sale.

"The property got very hot very fast," he recalled.

Several weeks before Butera closed the deal in July 1991, he learned the buyer planned to convert the grocery into office space and rent it to the state for the Illinois Department of Children and Family Services.

Unbeknownst to Butera, the state and the buyer, Victor J. Cacciatore, Sr., had hammered out the details of the lease four months before Butera sold the property.

The lease was signed in apparent violation of state purchasing laws that require disclosure of building and land owners. State officials signed the lease relying on Cacciatore's representation that he was the owner of the building, said Helen Adorjan, a spokeswoman for the state Department of Central Management Service, or CMS.

The state has done business with Cacciatore for decades, and, for just as long, Cacciatore had been a faithful campaign contributor.

Patronage, the process of rewarding political cronies at taxpayers' expense, has been big business in Illinois. Even though court decisions and taxpayers' outrage largely have stopped the practice of putting supporters on the public payroll, elected officials still find ways to divide the spoils.

Contracts are the mother lode for a new age of patronage. Deals to lease properties, perform services and produce goods for the state are now a \$4.6 billion-a-year industry, a business that has more than doubled in the last decade.

The state's need to house its burgeoning bureaucracy has been a gold mine for those seeking to lease land and offices to the state. From 1981 to 1991, the state's rental costs climbed to \$104 million annually, a 177 percent increase. Those with connections, such as Cacciatore, are cashing in.

The state's landlords include major donors to the gubernatorial campaigns of James Thompson and Jim Edgar. In the last four years, Edgar's campaign fund has received more than \$178,000 from people who lease offices to the state, disclosure forms show.

Those people include Cacciatore, who has contributed at least \$9,000 to Edgar's campaign fund and has received two state leases since Edgar took office. During the final seven years of the Thompson administration, Cacciatore donated more than \$27,000 to Thompson's campaign. During that time, he was awarded five state leases.

The DCFS deal marked the second time Cacciatore had offered to rent to the state the building he did not own. Records show he first proposed the Division Street grocery as an office building in March 1990, more than 15 months before he bought it.

Other large states have specific procedures to secure property, but Illinois' methods are much more fluid, said Michael Bartletti, manager of the Bureau of Property Management for CMS, the leasing agent for most state departments. Requirements vary according to geographic and agency needs, he said.

For example, sometimes the state publishes an advertisement seeking potential sites. Sometimes it does not. Sometimes state leasing agents search specific communities for appropriate buildings, Bartletti said. Sometimes they do not.

Bartletti said CMS rules "encourage" the obtaining of price quotes on "two or three sites" that would meet state needs. The rule, he said, "encourages competition. It doesn't require it."

In the Cacciatore deal, the state did not advertise its need for DCFS office space, records show.

Instead, CMS officials relied on responses to a year-old advertisement published when the Illinois Department of Public Aid sought similar office space, Adorjan said.

Cacciatore had proposed the Division Street grocery as a potential public aid office, Adorjan said, so the site was suggested to DCFS.

CMS records on the DCFS office hunt reflect that the agency obtained price quotes on two other locations. But an owner of a building the state said it surveyed told the Tribune that he never was contacted.

Records state that officials with CMS contacted an individual named "Boris Amen," who was trying to sell a 28,000-square-foot building at 2950 N. Western Ave.

But officials at Advanced Transformer, the owner of the 130,000-square-foot factory at that address, said that they never offered their property to the state and that they did not know Boris Amen.

"I have never had any discussions with the state," said Sol Hassom, a vice president for the company.

Records also state that CMS obtained a price quote on a lease from owners of a building at 3011 N. Western Ave. No such address or building exists. An owner of a nearby 9,000-square-foot building said he never has offered it for rent.

Adorjan acknowledged the records were filled with inaccuracies, but she maintained that the agency obtained other competing prices that are not reflected in the records.

"It is obvious that they are just sloppy records," she said. "They obviously did a sloppy job."

Records show the state will pay \$2.3 million over the next five years to rent the grocery, which Cacciatore bought for \$775,000. With his partners, Cacciatore holds seven state leases worth more than \$1 million a year.

The state is paying \$17.05 a square foot for space, utilities and janitorial service for the Humboldt Park building. That rate, according to Realtors, is comparable with rates in fancy Loop high-rise buildings.

"You can do better than that in the Loop," said George Martin, a real estate broker. "You can get \$13 (a square foot). What you are talking about out there doesn't even make sense."

Adorjan said the rent the state is paying was fair and comparable with others in the area.

Cacciatore, in a written response to questions, argued that the high rental rate partly reflects remodeling costs needed to meet the state's requirements.

Cook County records show Cacciatore's company spent \$450,000 on remodeling. According to the lease, Cacciatore will recoup his initial investment and renovation costs within the first three years.

Cacciatore's company and appraisers successfully argued earlier this year to lower the property's tax assessment. Their plea was based partly on data showing that the state was paying rent that was \$5 a square foot to \$6 a square foot above market rates and that, therefore, the rent did not accurately reflect the building's value, county records show.

"Confronted with the pressing need to service the area with a field office and the lack of such appropriate office space, (the state) was willing to pay a rental premium," the company's written appeal stated.

Cacciatore also has sold property to the state. The state's 1990 purchase of \$1.9 million of Cacciatore's property in Lake County for a proposed state highway provoked public outcry there. At his request, the property was rezoned for development, forcing the state to pay 20 times the price it normally pays for vacant land.

One south suburban landlord who leases property to the state said renting office space to the state is an insider's game fraught with politics.

The landlord, who asked not to be identified, told the Tribune that when he was notified that a state agency was leaving his building in the midst of a long-term contract, state officials told him to see William Cellini, a top Republican fundraiser.

"I was told, 'If you want to get a state lease, go see Mr. Cellini,'" he said. He did not, and the state canceled his lease.

Cellini headed the state Transportation Department under Republican Gov. Richard Ogilvie. He has not been a state official in nearly two decades but remains one of Springfield's most influential insiders. His sister Janis is Edgar's patronage chief, and the transportation agency still seeks his counsel, according to former and current officials.

"I chuckle sometimes when I hear some of the stories in Springfield about what all (Cellini) controls. That's not true," Edgar said in an interview.

Cellini and Cacciatore, along with another former state official, Gayle Franzen, were business partners in 1991 on the purchase of a 140-acre parcel in south suburban Hazel Crest, records show.

Franzen said Cacciatore invited him to become a partner on the Division Street grocery, even though Cacciatore told the state he was the sole owner. Franzen said that he declined. Cellini, through an aide, said he had no current interests in any state leases.

In addition to holding leases with the state, Cacciatore is a director of Elgin Sweeping Services Inc., which has reaped nearly \$40 million in contracts with the state's highway department since 1970, when Cellini headed the department. The contract is based on competitive bidding, but no company has submitted a competing bid in 10 years, state records show.

Let me read that sentence again. The State, of course, on this \$120 million library, is assuring us that there will be the application of what they call their competitive bid rules. But in this article, it says:

The contract is based on competitive bidding, but no company has submitted a competing bid in 10 years, state records show.

Some state landlords scoff at the notion that political favoritism influences the way the state shops for land and space.

Anthony Antoniou, a Du Page County real estate developer, is among them. His firm holds a lease that is among the state's most expensive, with \$5.2 million in annual payments for an unemployment office on Chicago's State Street.

Antoniou, a contributor to Thompson and Edgar, said his firm found that politics played virtually no role in the decision to lease his building.

Nevertheless, when Antoniou began discussions with the state about possible purchase of the State Street building, he turned to state Sen. Howard Carroll for help. Carroll, a Chicago Democrat, heads the appropriations committee that approves the budget for CMS, the agency trying to buy the building.

"Harold Carroll is a friend," Antoniou said. "He may have given some peripheral help. I met with him through my wife who lobbies (in Springfield)."

Carroll said that Antoniou asked him to find out the status of possible state funds to buy the building.

"We did some checking and we didn't see any funds in the budget," Carroll said.

Illinois' lease costs are comparable to what officials in New York, Florida and Texas spend on land rights and office space. California, which has nearly twice as many state employees as Illinois and whose real estate costs are notoriously exorbitant, spends more than \$270 million a year on leases.

But the manner in which leases are let in Illinois differs greatly from methods used in Florida, Texas and California. In those states, landlords must submit sealed bids to state officials who are required by law to award leases to the lowest and best competitive bidder.

Illinois officials reject the notion of competitive bidding on leases.

Let me read that line again:

Illinois officials reject the notion of competitive bidding on leases.

Competitive bidding has never been popular in Illinois with public officials, and that is what is at stake here on this \$120 million Lincoln Library, where objections were made to the U.S. Senate's requirement that Federal competitive bid guidelines be attached to this \$50 million authorization for a \$120 million building in Springfield, IL.

Quoting again:

The Tribune found that state rental procedures are so casual that state files on negotiations for some properties are little more than handwritten scrawls of price quotes from building owners.

Officials have maintained for more than a decade that state law does not require competitive bidding on leases, despite admonishments from the state auditor general. The absence of competitive bidding, the auditor general has warned, has deprived taxpayers of the "assurance that its best interests were served."

Let me interject at this point, since this article was written, the State's procurement law has been updated and presumably improved to some extent. But in our discussion and our examination today, we are trying to emphasize that not all loopholes have been closed and that the State rules still allow a high degree of discretion and leave a high amount of decisionmaking authority up to subjective preferences of State officials and that leaving that kind of unchecked discretion in State officials' hands opens the potential for insider abuse of Illinois procurement, whether it is leasing a building, building a building, or buying goods and services from the State.

Continuing from the article:

The Tribune investigation of state purchasing found that CMS sometimes has disregarded its own internal rules established to ensure fair pricing and competition.

In some cases, state agencies seeking to lease space compose written requirements that virtually rule out competition. Specifications also have been tailored to steer state agencies to sites owned by the connected, as in the case of a \$9.3 million deal in Peoria.

Let's back up on that. In some cases, you have the State claiming it has

competitive bidding, but what they do is, State agencies seeking to lease space compose written requirements that virtually rule out competition. They put restrictions on who is eligible to apply. The State did that with how they awarded river boat licenses in Illinois, and we are going to get to that later this afternoon when we examine how the State awarded the phenomenally lucrative 10 river boat licenses that somehow just happened to—I guess it was coincidence—all wind up in the hands of long-time contributors, in many cases, for many of those river boat licenses.

Continuing from the article:

Twelve days after the Illinois Department of Transportation informed CMS that it had outgrown its district headquarters in Peoria, officials with CMS asked the governor's office if G. Raymond Becker, a multimillionaire real estate developer, was eligible to become a state landlord.

The written query, dated March 19, 1990, was necessary because Becker was a Thompson-appointed member of the Illinois Capital Development Board, whose executive director is required by state law to review all state leases.

CMS officials wanted to know if Thompson would waive a state conflict-of-interest law prohibiting state officials such as Becker from doing business with the state.

Such waivers are somewhat routine in Illinois, but the request was unusual because CMS officials had not yet advertised the state's desire to rent office space in Peoria, records show.

But Becker, a member of Thompson's Governor's Club, a circle of campaign contributors whose donations totaled at least \$1,000, already was being considered for a state contract for space in the 16-story office building he was constructing in downtown Peoria.

Months later, the state published an advertisement from new Peoria space, specifying narrow geographic boundaries that essentially reduced the competition to Becker's building. Another developer, Dianne Cullinan, who had a downtown site under construction next to the state's targeted area, expressed interest but later halted talks after much of her building was leased.

Negotiations with Becker, the lone landlord under consideration, lagged for several months. But in January 1991, the deal was completed within a week—the final one of Thompson's tenure.

Thompson waived the conflict of interest law for Becker, noting that his proposal—the only one that had been on the table for four months—was the best of two submitted. Yet, records show that neither Cullinan nor anyone other than Becker had submitted a formal proposal.

The Becker deal stands to be worth more than \$9.3 million over the next 10 years if the state renews the lease after the first five years. IDOT offices fill about one-third of the building, which Becker built with a \$3.2 million Peoria city bond and private loans of \$8 million.

"It was a very good deal because I am doing much better with the rest of the leases," Becker said. The IDOT lease, he said, helped him charge higher rates for the lower floors. By August, shortly before IDOT moved in, two-thirds of the complex had been rented, Becker said.

The lease also carried the promise of revitalizing Becker's adjacent properties: a twin-story condominium and a small office complex that have been suffering from high vacancy rates.

Whether the deal was as good for taxpayers as it was for Becker is another question.

Of course, that line in this article—"Whether the deal was as good for taxpayers as it was for Becker is another question"—kind of goes to the heart of our debate today because we want construction of the Presidential library for Abraham Lincoln in Springfield, IL, to be as great a treasure for and as good a deal for the taxpayers of Illinois and this Nation as it is for everybody who winds up actually building the building or owning other buildings right next to it, which will benefit from the tourism that comes in.

State officials maintain the Becker lease is less costly than building a Peoria headquarters.

They point to a January 1991 study conducted by an outside consulting firm that concluded that over a 10-year period, the state would pay about \$11.4 million for construction, operating costs and debt service on a new building, compared with slightly less than \$10 million in lease costs in the same period.

But the study was based in part on the consultants' assumption that the state would have to acquire land for the project, records indicate.

"We are not aware of other state-owned space in the Peoria area that would be suitable for the (IDOT) space needs," the study stated. "Also, we did not examine the cost of buying and renovating an existing facility. . . . Additionally, we did not address the availability of bond funds to finance the construction of a potential facility."

Three years earlier, IDOT had proposed building a Peoria regional headquarters and materials-testing labs on a 34-acre site owned by the state on the city's west side.

The price tag at the time was \$7.16 million, said Richard Adorjan, an IDOT spokesman.

The General Assembly refused to appropriate funds for the project, so the state decided to lease. Adorjan said IDOT was never told about the 1991 study comparing the costs of leasing with the costs of a new building.

CMS officials say they never considered the 34-acre site for building because it was "too rural," Bartletti said.

The site is 9.3 miles from Peoria's downtown, said a CMS spokesman. IDOT's main headquarters in Springfield is about four miles from downtown.

IDOT's former Peoria headquarters, a sprawling brick structure with 36,000 square feet on the city's north end, will continue to house materials-testing labs, but the site soon will be largely abandoned.

The IDOT lease was not Becker's only deal with the state.

Soon after signing the IDOT lease in Peoria, Thompson aides signed a \$1.1 million lease for the Illinois Department of Employment Security to move into a building owned by Becker's business partner, Russell Waldschmidt. Less than a year later, Waldschmidt sold the building to Becker's son, George Raymond Becker, Jr.

Later in 1991, the General Assembly restored funding for leased office space for the Illinois Industrial Commission in another Becker-owned building. The five-year lease is worth about \$41,000 annually.

Becker's construction company also has been a successful competitor for state road building jobs. In 1987 and 1989, his company was the low bidder on two contracts worth nearly \$2 million for paving and resurfacing state highways near Peoria, an IDOT spokesman said.

Becker and his partner, Waldschmidt, said Becker's status as a confidant to the Thompson administration played no role in landing the leases.

But administration sources said Thompson's aides demanded that the transportation agency lease be signed before Thompson left office. Some top administrators had favored putting the lease on hold, a common practice during transitions, since it would bind Edgar's administration to the pact. Their concerns, however, were overruled by Thompson's key aides, according to interviews.

Even after Thompson left office, he continued to turn to his old friend for favors. Several months after Thompson left the Executive Mansion, the developer lent his private airplane to the former Governor to fly to Jackson, Miss., for a Republican Party function, according to a Thompson spokeswoman.

CMS officials have been at loggerheads with the state Auditor General's office for more than a decade because of their insistence that state law does not require leases to be competitively bid.

Again, what we are talking about here is competitively bidding a construction contract. The House has taken a position in opposition to the Senate's requirement on an appropriation of \$50 million to the State of Illinois that that money be competitively bid, that the construction contracts be competitively bid in accordance with the Federal law. The House position on this, to date, is that the project not carry that restriction and that States' so-called competitive bid guidelines are adequate.

We are here examining some of the problems that have occurred in recent memory in the State of Illinois regarding leases, construction projects, and the like, which really weren't what we would think should be a proper competitive bidding and where there has been some slippage.

State purchasing laws, a hodgepodge of more than 100 provisions adopted over the years, make no mention of leases. And a 1981 report by state auditors found that 96 percent of the state's leases were awarded without bid.

That is why there are so many articles inches thick and investigative reports, over many different administrations and many Governors in the State of Illinois, of deals that appeared to involve, or may have involved, or the writers thought involved, political favoritism.

CMS has argued that because leases are not specifically included among the goods and services required to be competitively bid, they are exempt from bidding. State auditors have argued that because leases are not listed among the exemptions, they must be bid.

There is no way to competitively bid real estate, said the CMS' Bartletti.

Simply put, there are no two real estate parcels in the world that are alike. Real estate is exclusive by definition. There is only one parcel at a certain intersection. Location is everything in real estate, he said.

Among the State purchasing reforms to be proposed in the general assembly's spring session will be a requirement to bid leases competitively, said State Senator Judy Barr Topinka (R-Riverside).

The proposed reform, Topinka said, is prompted largely by "the scandal" created

by a lease state officials signed in 1989 to rent the shuttered St. Anne's Hospital on Chicago's West Side.

State officials needed the building to house patients from the Illinois State Psychiatric Hospital, which had to be closed for extensive renovations.

Taxpayers will end up paying \$16.1 million for a four-year lease of the hospital, including costs of transferring patients, mainly because the lease failed to shield the state from huge repair bills.

The state could have bought the building for \$3 million.

Let's review that again.

State officials needed the building to house patients from the Illinois State Psychiatric Hospital, which had to be closed for extensive renovations.

Taxpayers will end up paying \$16.1 million for a four-year lease of the hospital, including costs of transferring patients, mainly because the lease failed to shield the state from huge repair bills.

The State could have bought the building for \$3 million.

The State could have bought it for \$3 million. But they will end up paying \$16 million for a 4-year lease of the hospital.

In that difference between \$16.1 million and \$3 million, look at the money that was lost for the taxpayers. How many taxpayers had to work how many hours? How many couples had to struggle working 2, or 2½, or 3 jobs to pay their taxes to the State of Illinois and to the Federal Government just to see that money go to State officials?

Some might conclude from such articles that in many cases when there are not proper controls, what the State officials wind up doing with that taxpayer money is really tantamount to lighting a match to it.

I now move on to another issue that has been talked about in Illinois for a very long time. It actually goes back to the early 1980s, and it is still a problem for the taxpayers in the State of Illinois. That is the subject of hotel loans given out by the State that were never fully repaid.

There are some of these issues that we could highlight on which I am seeking to narrow the focus and ultimately tie all of this back into what is going on down in Springfield.

I am going to turn to a discussion of State loans that were made back in the early 1980s for the construction of several buildings around the State, including two hotels: One in Springfield, IL, and the other, as I recall, at Collinsville, IL, which is down in the southern part of the State in the metro East St. Louis area. I am very familiar with both of these hotels. Of course, I see them often on my trips to Springfield and Collinsville. These hotels are actually pretty famous in the minds of many taxpayers because the taxpayers gave loans for the prominent people to develop these hotels and the loans were never fully paid.

This article, which comes from the Chicago Sun Times, dated April 26, 1995, is by Tim Novak, who at that time was in Springfield. He wrote this article. The headline is, "Taxpayers Stuck With \$30 Million Hotel Tab."

Illinois taxpayers will lose \$30 million today when state Treasurer Judy Baar Topinka closes the books on two hotel loans that former Gov. Jim Thompson and former Treasurer Jerry Cosentino made to political cronies.

The hotels owe the state \$40.3 million under low-interest loans they got in 1982, but Topinka has agreed to settle their debts for \$10 million, the Sun-Times has learned. She plans to announce the deal today.

Under the deal, the Springfield Renaissance Hotel headed by Republican power broker William F. Cellini will pay the state \$3.75 million of the \$19.8 million it owes.

The state will also collect \$6.3 million from the Collinsville Holiday Inn, partly owned by Gary Fears, who raised money for Democrats and Republicans. The Collinsville hotel owes the state \$20.6 million.

Topinka said it's the "best deal" she could get from the hotels, which have often skipped loan payments while their value has fallen. The deal will save the state at least \$6,000 a month it spends to manage the loans. "The taxpayers are going to take a bath, no question," Topinka said. "But the property is so depressed, we will never get back what we spent. Our little escapade into the hotel business has not been remarkably fruitful.

"I may open myself up to criticism on one hand, but on the other hand, I have got to settle this because the longer this goes on, the more we lose because the property value (of the hotels) keeps going down."

Former Treasurer Patrick Quinn, a Democrat, said Topinka is giving another sweetheart deal to political insiders.

"These particular individuals . . . are getting off very lightly," Quinn said of Cellini and Fears. "The taxpayers are being fleeced again. They were fleeced when the loans were made. They were fleeced when the loans were refinanced.

"If you foreclosed, you would have assets that you can sell for a greater price than they're getting now," Quinn said. He claimed that the hotels are worth far more than the \$10 million the owners will pay under Topinka's deal.

Local assessors say the hotels are worth a total of \$13.2 million—\$7.9 million for the Springfield hotel and \$5.3 million for the one in Collinsville.

Topinka said the hotels are worth only a total of \$6.5 million, much less than the \$10 million the state will receive. Topinka said the Springfield hotel is worth \$3 million and the one in Collinsville is worth \$3.5 million.

"I didn't make the (original) deal," she said. "I'm the garbage man trying to clean up."

The loans were to expire in 2010. The state cannot foreclose on the hotels until 1999, and then only if the debts exceed \$18 million on the Springfield hotel and \$19.9 million on the Collinsville one.

Quinn spent four years trying to get money out of the hotel owners, particularly Cellini, who made millions as the lead investor of the state's first riverboat casino, the Alton Belle.

Quinn urged the Illinois Gaming Board to revoke the casino license last year unless Cellini pays off the hotel loan. The board refused, saying the hotel and casino were separate, state-sanctioned deals.

Cellini is among 80 investors in the Springfield hotel. He could not be reached for comment. B.C. Gitcho, managing partner of the Collinsville hotel, referred questions to attorney Dan K. Webb, a law partner of Thompson's.

Webb, who represents both hotels, could not be reached for comment.

Thompson, a Republican, and Cosentino, a Democrat, made the hotel loans in 1982 under

the governor's Build Illinois program, designed to create economic development and jobs.

Cellini's group, President Lincoln Hotel Ventures, used the money to build a luxurious hotel about six blocks from the state Capitol. Fears' group, Collinsville Hotel Venture, built a hotel about 20 miles east of St. Louis.

The loans originally had a 12.25 percent interest rate. The owners were required to make mortgage payments only in those quarters in which the hotels made profits. The owners often skipped payments, claiming they made no money in those quarters.

Before Thompson and Cosentino left office in 1991, the loans were restructured with a new interest rate of 6 percent. The interest was deferred until the principal was paid off.

Since 1982, the state has collected \$1.3 million from the Springfield hotel and \$1.4 million from the Collinsville hotel.

Mr. President, there is another article on that hotel loan. I point out at this time the hotel for which that loan was given, that was built in Springfield, IL—one of them was for a hotel in Springfield, the other for a hotel in Collinsville, IL.

This is a map of downtown Springfield. This is the State capitol where I used to go when I was a State senator in Springfield for 6 years. This is the Abraham Lincoln neighborhood. Mr. Lincoln's neighborhood is run by the National Park Service. Abraham Lincoln's home is here. Senator DURBIN and I have our Springfield district offices in that neighborhood. It is beautifully maintained to look as it did in Mr. Lincoln's era.

Here is the Springfield Convention Center, and next to the Springfield Convention Center we see the Renaissance Springfield Hotel.

As we saw that investor deal, headed by Mr. William Cellini from Springfield, they got that \$15 million—I believe was the loan—back in the early 1980s. There was an attempt to settle the loan after not much of that money had been paid back. In fact, that settlement that was just described, to my knowledge, never went through.

I will continue reading some articles and examining this hotel issue because since it is so close to where the proposed Lincoln Library site is, I think this will give a picture of how this connects together and why in my mind—being familiar with this whole history—red flags were raised. I believed we were on notice that we needed to do everything we could to protect taxpayers' money in the construction of that proposed Lincoln Library, which is a \$120 million project.

Mr. DORGAN. Will the Senator yield for a question?

Mr. FITZGERALD. I yield.

Mr. DORGAN. I believe I will be recognized following the Senator's presentation, but for purposes of timing, how long does the Senator expect to continue speaking?

Mr. FITZGERALD. I will speak as long as I need to make the point on this project. I imagine it will be for quite some time.

Mr. DORGAN. If I might, the Senator certainly has a right to speak for as

long as he chooses once he is recognized in the Senate, but for the purpose of others who desire to speak on the conference report, I am curious if we could get some time frame.

I am willing to come back to the Chamber if the Senator will give me an idea of when he might complete his remarks.

Mr. FITZGERALD. All I can say at this time—I hope the Senator will appreciate this—I will need an extended period of time, and I cannot give a good timeframe. You may want to go back to your office.

Mr. DORGAN. Mr. President, that is a fair answer.

I ask if, perhaps 10 minutes before the Senator finishes, he would say "in conclusion," which would trigger me to come back to the floor.

Mr. FITZGERALD. I will do that.

Turning to a June 5, 1995, Chicago Tribune article, by Rick Pearson, a Tribune staff writer, the headline is: "Taxpayers Face a Big Loss on Hotel Loans; GOP Insider Denies Political Deal."

He has achieved a unique and almost mystical aura as a clout-heavy Republican power broker, fundraiser and riverboat gambling captain.

But William Cellini says he doubts he will ever be a hotel developer again.

Cellini is at the center of a controversy involving a proposal by state Treasurer Judy Baar Topinka to settle \$40 million owed to taxpayers on two hotel loans for \$10 million. He said he and other investors in the Springfield Renaissance never made a dime and will never see any return.

Cellini also maintained that the state has probably recouped the original \$120 million lent to developers of the Renaissance, the Collinsville Holiday Inn and 16 other projects because the developers paid 17 percent interest during the construction in the high-interest period of the early 1980s.

"Would I do it again? Never," Cellini said in his first public comments on the hotel deal. "Well, never is a long time. Let's put it this way: I'll never do another one with the government. You're too high-profile, and then everybody comes to these (political) conclusions."

Not that anyone is suggesting any tag days for the 60-year-old Cellini.

He has parlayed his position during the 1960s as state transportation secretary under Gov. Richard Ogilvie into influential leases and contracts, a role as head of the road-building Illinois Asphalt Pavement Association, and chairmanship of Argosy Gaming Co., which operates the Alton Belle riverboat casino. Cellini's stake in the riverboat is worth more than \$20 million.

Yet Cellini disputed the perception that the hotel settlement reached in April with Topinka is a sweetheart deal for himself, the Renaissance's 84 other investors, bipartisan fundraiser Gary Fears and investors in the Collinsville Holiday Inn.

Instead, he said, taxpayers will get about \$2 million more than the highest bid offered to former state Treasurer Patrick Quinn when he attempted to shop the two hotel loans last year to other investors.

In addition, Cellini said, investors in the Springfield hotel put \$10.1 million of their money into launching the project, along with the state's \$15.5 million loan and a \$3.1 million federal urban-development grant.

Boy, that is interesting. On that loan for that Springfield Renaissance Hotel,

the investors put in \$10 billion of their money, the State loaned \$15 million of State taxpayers' money, and the Federal Government gave \$3.1 million in an urban development grant for that hotel.

"People are saying, 'This hotel was built with all state money. Cellini didn't put in anything, and now he's walking away with the marbles.' That isn't true. We put in almost as much as the state, for sure \$10 million in cash. And we will never get it back," Cellini said.

The proposed settlement with Topinka has been put on hold pending review by Atty. Gen. Jim Ryan, another Republican. But under the agreement, Cellini and Renaissance investors would pay the state \$3.75 million of the \$19.8 million they owe.

Meanwhile, the Collinsville Holiday Inn would pay \$6.3 million of \$20.6 million owed to the state.

Topinka, a Republican who took office in January, has said the loans were a "bad investment" for the state. She also said the settlement is the "best deal" she could get for taxpayers because the properties' values are depressed.

The loans, first made in 1982 by then-Gov. James Thompson, a Republican, and then-Treasurer Jerome Cosentino, a Democrat, originally carried a 12.25 percent interest rate. But Thompson and Cosentino revised the loans in 1988 to require mortgage payments only when the hotels were profitable. Few payments were made.

That is interesting. The loan was not being fully repaid. Yet in 1998 they revised the loan documents so that mortgage payments only had to be made when the hotel was profitable. And then few payments were made.

Shortly before Thompson and Cosentino left office in 1991, the loans again were restructured to call for 6 percent interest, with all payments first applied to principal on the debt.

Cellini, who is a general partner of the Renaissance and owns 1.01 percent of the stock, said the original loan, the subsequent restructuring and the settlement plan were normal business deals and didn't involve politics.

The projects initially were meant to improve economic development, but they were written down because of market conditions, he said.

The lavish Renaissance, five blocks from the Capitol, pays \$100,000 a year to help retire bonds used to build an adjacent city convention center. The hotel has a payroll of \$2.8 million and pays \$1.3 million a year in taxes, he said.

"It isn't that this was different or it was something that just because of political contact there was this discounting," Cellini said. "There isn't a first-class, full-service hotel that was built in Chicago from '85 to today that is not only not paying their mortgage loans but I bet you some of them aren't paying for their operations."

Cellini also disputed reports from Topinka's office that personal guarantees he signed on the loan were waived by Thompson and Cosentino. Such a waiver would have helped Cellini when Argosy appeared before the Illinois Gaming Board seeking a license for the Alton Belle casino.

But aides to Topinka confirmed Friday that when the hotel was opened, Cellini satisfied the terms of a construction loan and was released from his personal guarantee.

Cellini also said that while the hotel had an assessed value of \$7 million two years ago, the value of the real estate now is only

slightly more than the \$3.7 million value of the loan that investors have agreed to pay.

Mr. President, I ask unanimous consent that the Senator from Louisiana be recognized at this time, and that I be rerecognized upon the completion of her remarks and that my rerecognition count as a continuation of my current speech.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The Senator from Louisiana is recognized.

Ms. LANDRIEU. Mr. President, I know the Senator from Illinois has been on the floor for quite some time speaking on an issue about which he obviously feels very strongly and about which he is quite knowledgeable and on which he has been going into some detail. Hopefully, it can be worked out, or some accommodations can be made.

I am here, actually, to speak about an issue that is related to this bill but is completely different from what my colleague from Illinois has been speaking about. This is about the underlying bill, the Interior appropriations bill, and about the CARA Coalition, the Conservation Reinvestment Act—which you yourself have been familiar with and were actually very helpful, Mr. President, and were supportive along the way. I thank you for that. I want to say a few words about the Interior appropriations bill and how it falls so short of what many of us were hoping.

I realize this is a process; it is a democratic process. I realize we cannot always get what we want. But I do believe we should always try our very best to get what we believe is not only best for our State but best for our Nation. That is what the CARA Coalition represents, a group of Governors, almost every Governor in the Nation, mayors—almost all of the mayors in the Nation, Democrats and Republicans—over 5,000 environmental and business organizations and recreational organizations throughout this Nation that have been trying to communicate to the White House and to the appropriators, both Democrats and Republicans, and to the President himself, how important it is to try to take this time, this year—not next year but this year—to lay down a real legacy for the environment, something that recognizes the importance of purchasing Federal lands when appropriate but also a legacy that realizes how important it is to give some money, not to Federal agencies but to State governments and to local officials, so Governors and mayors can make plans based on their local and State needs.

I know that you agree with me, Mr. President—actually, many do in this Chamber—that Washington doesn't always know best. The CARA Coalition thinks sometimes Washington has good ideas, but we think sometimes States and Governors and mayors and county commissioners have good ideas. Sometimes parents who run Little League

Baseball leagues in their communities have good ideas. We think volunteers in communities have good ideas. But there are a handful of people who think—it is just disturbing to me, and I do not understand it—there are some people here, unfortunately on both sides of the aisle, who think the only decisions that are good come from Washington. So the CARA Coalition wants to say the Interior bill fails—fails to take advantage of the partnerships that are available at the State and at the local level.

In addition, I have to say the Interior bill also fails to take into account the important contributions that are made by the coastal States to this endeavor.

While the amount of money that the Interior bill has come up with is over \$1 billion in the first year, a good portion of that money, about half of it, \$500 million, actually does not come from the general fund. It comes from offshore oil and gas revenues. The moneys we use in this bill that were outlined earlier to fund the Land and Water Conservation Fund, which was authorized and established over 30 years ago but never funded to its levels, either at the Federal or the State side—that money comes from offshore oil and gas revenues.

Those revenues primarily come from the Gulf of Mexico and from Louisiana, Texas, Mississippi, and to some degree Alabama. The drilling for natural gas, which is an environmentally friendly fuel that helps us reduce the harmful elements in the air, takes place in the Gulf of Mexico, and the revenues generated from those oil and gas wells fund the land and water conservation bill.

Another shortcoming of the Interior bill is that it fails to recognize the contributions that are made by Louisiana, Mississippi, and Texas. It does not provide a fair share of those revenues back to our States. It does not include coastal impact assistance. There is a possibility under the agreement with the chairmen of the committees that some of that can possibly be taken care of in the Commerce-Justice-State bill. We are very hopeful some of that money might become available.

This plan for an environmental legacy, despite the fact that this may be taken care of to a small degree in another bill, in the Interior bill, fails to recognize the contribution made by States that allow offshore oil and gas drilling.

I have held up this plan many times on the floor. This is the "Coast 2050" plan from Louisiana. This is a plan that says: "Without bold action now, a national treasure will be lost forever." That treasure is the largest expanse of coastal wetlands in North America. The largest expanse of coastal wetlands in North America is at risk. The CARA Coalition came to Washington to say: We do not want all of the money for Louisiana, Mississippi, and Texas. We do not even want 50 percent of the money. We do not even expect 25 per-

cent of the money. But we think we are in our right to ask for at least 10 percent of the money that is generated from offshore oil and gas revenues to come back to the coastal States, the great coastal areas of our Nation, for restoration.

The coast of Louisiana is home to 2 million Americans, and the other statistics are awesome. The ecosystem contributes nearly 30 percent by weight of the total commercial fisheries harvested in the entire Nation. It provides wintering habitat for over 70 percent of migratory waterfowl for the whole Nation. And 18 percent of U.S. oil production, and 24 percent of gas production come from Louisiana primarily and the Gulf of Mexico. Our port system ranks first in the Nation, and we provide commercial outlets for the transportation of goods into this Nation and out of this Nation.

As a Senator from Louisiana—and I know Senator BREAUX joins me—I thought we could expect some recognition of what the coastal States mean to this Nation and some recognition of a coastal impact assistance piece or coastal stewardship piece, which CARA had in mind and which this Interior bill—although it is recognized, it has moved some of the money over to Commerce—does not recognize in its legacy.

I say for the CARA Coalition that we have always believed the legacy that we are trying to leave is not just about interior States; it is about coastal States. It is not just about Federal spending and decisions made at the Federal level; it is about decisions made at the local level and at the State level.

The underlying bill, while I know it took some work and it took some effort and there have been lots of negotiations at every level, fails in many aspects in terms of what we had hoped for this year. We will continue to hope for it if it is not done in this Congress.

There is still time. It is unlikely that what we are asking for can be done in this bill. The conference is closed. We do not, under the rules, have an opportunity to amend this particular bill, but there are many other bills moving through. There is still action that can be taken on the part of the Democratic and Republican leadership. The President himself could weigh in more strongly and say: Yes, let's take what we can on lands legacy, but let's add in addition to it the CARA legislation.

I will try to explain a few other things about the underlying bill and how it falls very short of where we want to be.

Supporters of the underlying bill claim there is money in this bill for conservation programs, and they are correct. There is even more money than was originally budgeted for conservation programs. The problem is that each of the programs have to compete against each other for limited dollars. Unlike CARA, which had the programs pretty much clearly defined and

moneys attached to each program so that Governors, mayors, and program administrators could count on that money, the underlying bill does not allow for that. It allows for competition, for an annual grab-bag approach every year. Let me give an example.

In the first category, which is under the land conservation, preservation, infrastructure improvement trust fund, which is what this bill now calls it—it is not lands legacy, it is not CARA, it is called the land conservation, preservation, infrastructure improvement trust fund. There is \$539 million in that fund, but out of that fund, the Federal side of land and water and the State side of land and water have to compete for that \$539 million.

We heard the distinguished chairman from Washington say he had over \$1 billion in requests. He said he had over 1,000 requests totaling over \$1 billion. That is just requests from the Federal side. If there are \$1 billion in requests every year for the Federal side of land and water, and we only have in this bill \$539 million to fund it, I argue there is not going to be anything left for the State side of land and water. They have been underfunded for 30 years. The Governors have been left holding an empty bag. When the mayors look in the bag, there is no money—promises, promises, but no money. While this trust fund attempts in a way to put this in categories, it fails to deliver the money necessary for the State side and the Federal side.

Let me go into the next category which talks about State and other conservation programs. It talks about the cooperative endangered species fund, which is important; State wildlife grants, which basically, according to the Wildlife Coalition, will never get to the States because it will take 3 years to come up with a plan, and then when the States come up with a plan, it will take so much longer for it to be approved, so this \$50 million is not really worth much at this point.

The State wildlife grants, the North American wetlands conservation, science programs, forest legacy, and additional planning inventory and monitoring, all of those funds have to compete in this "trust fund" for limited resources.

Instead of being able to count on money every year for the endangered species fund, instead of being able to count on a real State wildlife fund on which local officials can count and on which preservationists and conservationists can count, it is not there. Forest legacy cannot count on it. The chances of funding it are minimal.

I will go to something Members can appreciate because they heard so much from their mayors. The next category is urban and historic preservation.

It includes the program we know as UPARR. It includes a very popular and effective program called Historic Preservation. It includes Urban and Community Forestry and the Youth Conservation Corps.

They are good programs. The problem is, they have to compete for the same pot of money, fighting among themselves. We had hoped, and we thought, it was time—and we still believe it is time, the CARA Coalition—to get the environmental community and the business community and the recreational activists and enthusiasts in this Nation working together. That is what the CARA Coalition represents. Instead of fighting over crumbs, instead of fighting over very limited amounts of money, we were hoping to build, first, on a relatively small amount of money but build together. And as the budget provided, as political opportunities provided, we were willing to come back and wait and be patient and get additional moneys for these programs.

But to force these groups, which have had to live on so little for so long, to have to compete amongst each other every year, year in and year out, I think is far less than what we could have done and what we should have done.

We do not probably have the support to defeat this Interior appropriations bill. I would have to say, there are some very good things in this bill. The appropriators worked very hard. I know it is very tough to try to put together a bill that can meet the approval of over 500 Members—both in the House and in the Senate—representing different parties and different interests.

(Mr. SMITH of New Hampshire assumed the chair.)

Ms. LANDRIEU. I want to just say how much I respect our leader, Senator BYRD, and the work that he and his staff have put in. But I believe it is important—and I feel compelled as the leader of the CARA Coalition in the Senate—to point out that there are real differences. And those differences really matter to environmental groups, to wildlife groups, to coastal impact assistance organizations that are fighting for coastal impact assistance and more acknowledgment of the needs of our coasts. And it matters to parents, to volunteers, and to community organizations.

So I think that we should be truthful and honest—and I am not saying that people have not been truthful and honest, but I do think we have to be very clear that while this trust fund could potentially be a beginning, it is not nearly where we need to be in terms of delivering a real legacy for this Nation, a legacy of which Republicans can be proud, a legacy of which Democrats can be proud, a legacy of which this President can be proud.

So I want to take a few minutes, if I could—and I know we have quite a bit of time and no time limit—so I would like to take a moment to go through this large binder here to talk about our coalition because there is still time remaining in this session. We do not know whether we are going to be in for this week, whether we may be here for

another 2 weeks, or another 3 weeks. There are still many serious negotiations going on between the House and the Senate, between congressional appropriators and the White House, on a variety of issues that are important to our Nation.

Some of those issues have to do with health care; some of them have to do with education; some of them have to do with transportation. So we have time.

I have come to the floor to try to explain, in my remarks, the differences between what the Interior bill has laid down and for what the CARA Coalition was hopeful.

I also want to point out and add to the RECORD this extraordinary coalition that has been supporting this legislation, and to ask them to use the time remaining to call the leadership, Senator LOTT, Senator DASCHLE, and the President himself, and say thank you for the work that we have done. But let's not miss this opportunity to do better. Let's not miss this opportunity to do better this year, and to hopefully build in the years to come on what the Conservation and Reinvestment Act really envisions for our Nation.

Since I am a Senator from Louisiana, I want to thank this extraordinary list of supporters from Louisiana who are registered here in this book. This book is actually a book of all the States. There are 5,000 organizations—an unprecedented coalition, of, as I said, Governors, mayors, county officials, conservation and wildlife organizations, sportsmen's groups, parks and recreation advocates, business and industry groups, historic preservationists, and soccer and youth sports organizations that have called on us to act.

I want them to know that I have heard their message. I want them to know that 63 Senators have heard their message. I want them to know that Chairman MURKOWSKI and the ranking member, Senator BINGAMAN, have heard their message. We want to work with them in the remaining weeks of this session, and for as long into the future as it takes to actually get an environmental legacy for this country of which we can all be proud.

Let me just say, in this book is a letter to each of the Senators, signed by anywhere from 50 to literally hundreds of organizations in their States, urging them to adopt CARA, the Conservation and Reinvestment Act, the principles outlined in CARA.

I thank, particularly, from my State of Louisiana, for his extraordinary leadership, our Secretary of Natural Resources, Jack Caldwell, who works for a Republican Governor, Gov. Mike Foster. In our State this has truly been a bipartisan effort.

I thank our Louisiana Wildlife Federation; the Coalition to Restore Coastal Louisiana, which produced this extraordinary document, for their work and help and advice through this process.

I thank our Lieutenant Governor, who is a colleague of mine, and a good friend, Kathleen Blanco, and her Office of State Parks.

I particularly thank the Louisiana Chapter of the Sierra Club that spoke out early in support of this effort.

I thank the Louisiana Legislature that was the first legislative body in the Nation to adopt a resolution in favor of the Conservation Reinvestment Act. And many State legislatures around our Nation have followed that show of support.

Almost every elected official in our State—particularly, I want to single out Mayor Marc Morial, the mayor of New Orleans, who will be leading the U.S. Conference of Mayors next year as chairman and a leading member of that organization, for his outstanding advocacy for UPARR and for other portions of the CARA legislation.

I thank Jefferson Parish President Tim Coulon, who is a Republican. Again, our partnership has been quite bipartisan in Louisiana. I thank him.

We have led this effort, but we have been joined by many States in the Union, by many officials from all parts of this Nation.

Just for the record, I want to read a few of the groups from the State of Mississippi that have been extraordinary and helpful in this—and to thank Senator TRENT LOTT for his support—and to continue to encourage him and our leader, Senator DASCHLE, to find whatever avenues are necessary to build on the good work that has been done this year in this regard. There are actually pages and pages of supporters from Mississippi.

I will only read out the very top few, but there are literally—it looks to be over 200 supporters from Mississippi, the first being Mississippi Heritage Trust, Mississippi Department of Wildlife Fisheries and Parks, Mississippi Wildlife Federation, the Chapter of Wildlife Society, the Chapter of American Planning Association, the School of Architecture for Mississippi State—and I could go on through this—the city of Hattiesburg, the city of Laurel, the Keep Jackson Beautiful Coalition, literally hundreds of organizations in Mississippi.

For the RECORD, I will recite some of the organizations from South Dakota because the leader has been on our side. Both Senator DASCHLE and Senator TIM JOHNSON were so helpful in this effort. We also have pages and pages of organizations: Governor Bill Janklow, the South Dakota Department of Game, Fish and Parks, the South Dakota Parks and Recreation Association, the South Dakota Conservation Officers Association, Beadle County Master Gardeners, the Beadle County Sportsmen's Club, the Optimist Club of Huron. Throughout their entire State, from mayors to elected officials to conservation organizations, they have let their voice be heard. I want the South Dakota supporters to know that their leader has heard them, has

been supportive, and has been very helpful.

I also thank our House colleagues: Chairman YOUNG from Alaska; the ranking member, GEORGE MILLER of California; JOHN DINGELL of Michigan, who has been an outstanding advocate for CARA; from my State particularly, BILLY TAUZIN, who represents south Louisiana and is an excellent supporter of CARA; and CHRIS JOHN, who has been very helpful, a member of the committee in the House. We have had a coalition of Senators and House Members, of elected officials around the Nation.

Since the session is not over yet, our fight is not over. We recognize that we can't have everything we have asked for, but we recognize that we would never get anywhere if we didn't ask. If we had not put this effort forward, we might never get to a real trust fund for the environment for our Nation. I think the effort has been worth pursuing and the effort is still worth pursuing.

I am not going to ask my colleagues to vote against this bill. Some of them may do that for their own reasons. Senator FITZGERALD and others who don't think there are enough property rights protections may, for their own purposes, want to do that. I probably will cast a vote against the Interior bill because it falls short of what we want.

But this is a democratic process. We believe what we are fighting for is in the right direction. We believe the CARA Coalition represents truly a bipartisan effort that can gather the support of not only Federal officials but State officials. And we believe that this is, in fact, a beginning. There is still time left to build on it. I am hoping leaders from other committees of the Senate can potentially give some support, as they have been from the beginning, and help as we try to put our best foot forward and move ahead on this legislation.

I will go over some of the other numbers in which some of my colleagues may be interested on this particular bill. As I said earlier, the basis of CARA was to give guaranteed funding in certain categories for environmental programs. Although this trust fund lays down broad categories, they are not specific enough so that people can actually depend on them and States can depend on them.

For instance, under the land acquisition part of this bill, let's say for Arizona, in this conference committee report there are about \$15 million for land acquisition. Under the CARA proposal, as compromised between the House and Senate, Arizona would have received and could have counted on approximately \$47 million each year.

Arkansas—and Senator LINCOLN has been an outstanding supporter of CARA—under the land portion of this bill actually gets zero money. This is legislation for billions of dollars that are earmarked for other places, but

under this trust fund concept, Arkansas gets actually zero. Under CARA, they would have a guarantee of \$14.9 million.

Colorado in this bill has \$5.3 million. Under CARA, they would have \$46 million each year for the State PILT, for payment in lieu of taxes, for land acquisition at the State level, not directed by Federal agencies but at the State level. They would have had money for historic preservation and for urban parks for cities such as Denver and others in Colorado.

Connecticut has \$1.6 million approximately. They would have had \$17 million of guaranteed funding.

Delaware has \$1.3 million; under CARA, \$14 million.

Georgia, which, according to our records, has about \$650,000 for land acquisition projects, would have had \$32 million under the Conservation and Reinvestment Act.

Hawaii, which has \$2 million in this bill, would have counted on about \$29 million a year.

Idaho, which has about \$7.5 million, would have gotten \$39 million a year, primarily in PILT payments, some on the State side of land and water, and some in other areas.

Illinois, which is a large State, a very important State in our Nation, and one of the most populated States, under this trust fund has zero money allocated for this year but would have had \$38 million every year under CARA.

Indiana has \$3.8 million, as opposed to our proposal for \$25 million.

As I read through some of these numbers—I would like to read through them all for all the States—let me say that the underlying bill on the trust fund has approximately the same amount of money the CARA Coalition desired.

Our coalition wants to be respectful and appreciative of budget constraints. We recognize there are a great many needs in this Nation, from support for teachers and schools to support for health care, to the lockbox for Social Security and Medicare. We have examined the state of the budget. But we believe we could have spent and still believe that half of 1 percent of the surplus for an environmental trust fund that we could count on year in and year out was not too much to ask for. In fact, the appropriators have basically agreed with that concept because that is the amount of money they have actually put in this bill.

The problem is, the framework they put in forces organizations to compete year in and year out, not being able to depend on money. It well underfunds PILT, payment in lieu of taxes, which is so important to our Western States. The underlying bill gives all of the money, or 85 percent of it or more, to Federal agencies and shortchanges our Governors and our mayors and our local elected officials. And it does not fund, as clearly as it should, some of the other important programs we have outlined as authorizers in our com-

promise between the House and the Senate.

(Mr. GREGG assumed the chair.)

Mr. REID. Would the Senator yield for a question?

Ms. LANDRIEU. Yes, if I may retain the floor.

Mr. REID. I ask my friend, we have Senator DORGAN, Senator CRAIG, and others wishing to speak. No one wants to take away the time the Senator deserves on this issue. Can she give us an idea of how much time she is going to take?

Ms. LANDRIEU. I will take probably another 10 minutes, and then I will yield back my time, if I am able to, to Senator FITZGERALD, who continues to want time on the floor. We can check with Senator FITZGERALD.

Mr. President, I will continue to read some of this into the RECORD.

Iowa, for instance, is the only State of the Union to date that has not received any money from the Land and Water Conservation Fund in 30 years, as the records will reflect. This year, Iowa has \$600,000. Under CARA, we could have made a commitment of approximately \$11 million per year.

Kansas—and Senator ROBERTS has been a terrific supporter of CARA, and I am appreciative of his support, particularly for the wildlife portion of our bill—gets zero in the trust fund for this year. Kansas would have gotten about \$11.9 million under CARA.

Kentucky, \$2.5 million; \$15 million under CARA.

Maine, \$1 million under this bill for this year; \$31.9 million would have been directed to Maine under the CARA proposal.

Maryland, which sits on the shores of the great Chesapeake Bay—an area that deserves, in my opinion, a great deal more attention, and the local officials in the various States around the Chesapeake have done a wonderful job, and there has been much help from the Federal level, but we can still do more to protect that important ecosystem in our Nation—Maryland gets \$1.2 million. Under CARA, they would have gotten \$28 million a year.

Massachusetts, about \$1.5 million; under CARA, \$35 million.

Michigan, \$1.1 million; under CARA, \$42 million.

Minnesota, \$2.8 million; under CARA, \$29 million.

Missouri, \$3.5 million; under CARA, \$26.2 million.

Montana, \$6.5 million; under CARA, \$47.8 million.

Nebraska—and Senator KERREY has been a wonderful supporter and very helpful in terms of arguing that States and local governments should have a say as we divide this money annually and should be able to count on something and not have to wait until October, which costs the taxpayers more and which is difficult at the State level. Nebraska has a grand total of \$400,000 for the Land and Water Conservation Fund. Under CARA, they would have gotten about \$14.5 million.

Nevada, which is the State of my good colleague, Senator REID, got \$2 million. CARA would have brought them \$37 million. A lot of that money would have been for PILT payments because the Senator represents a State where the Federal Government owns 92 percent of the land.

So it is our obligation to provide money for those local units in Nevada which lose revenues when the Federal Government takes over land from the private sector. They would have benefited from the formula that would have acknowledged that and tried to, in some ways, make them whole by improving their PILT payments. They would get \$38 million under CARA; instead, they get \$2 million.

New Hampshire, a small State but a very important State, under this bill gets \$3.6 million; under CARA, the total it would have received is \$17 million.

New Jersey, the Garden State, with a Republican Governor whom I admire a good deal, Governor Whitman, just passed—and I am sure with Democratic help—a bond issue to provide over a billion dollars for Saving Open Spaces in New Jersey. They are one of the most populated States and are trying to preserve the farmland they have left and the green spaces. That is very important to many people along the east coast, the west coast, the interior, and the coastal communities. They passed a billion dollar, multiyear effort. I believe, and the CARA coalition believes, we should try to match that effort. Instead, under this bill, we have given New Jersey \$2 million. CARA would have provided them a \$40 million partnership every year.

New Mexico—and Senator BINGAMAN has been an outspoken advocate and a ranking member on our side—gets \$4.7 million. It would be \$44.9 million under CARA.

I know my time is going to be running short. In a moment, I will be prepared to yield my time back to Senator FITZGERALD, who had the floor. I was taking some time from him. I say to our floor leader, I will yield back some time to Senator FITZGERALD.

The PRESIDING OFFICER. Under the previous order, the Senator from Illinois is recognized.

Mr. REID. Parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. Does the Senator yield for that purpose?

Mr. FITZGERALD. Yes, for a question.

Mr. REID. I just have a parliamentary inquiry. The Senator would not lose the floor. I have a question to ask the Chair.

Is the parliamentary situation that the Senator from Illinois has the floor?

The PRESIDING OFFICER. That is correct.

The Senator from Illinois is recognized.

Mr. FITZGERALD. Mr. President, I am going to continue speaking about this \$120 million proposed Abraham

Lincoln Library in Illinois. I realize my colleague from Idaho wishes to be recognized. What I am going to ask is unanimous consent that the Senator from Idaho be recognized for 10 minutes at this time and that I then be re-recognized.

Mr. REID. Mr. President, reserving the right to object, the reason I say that is, there is a unanimous consent agreement already in effect, and the Senator from North Dakota wishes to speak as well. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Illinois has the floor.

Mr. FITZGERALD. Continuing on, Mr. President, to bring the Senate back up to date, we are talking about a proposed Abraham Lincoln Library in downtown Springfield, IL, that would cost approximately \$120 million.

The library would be one of the most expensive buildings in the city of Springfield. The estimated value of the State capitol in Springfield is, I believe, \$78 million, in inflation-adjusted dollars. This library would be approximately half the size of the State capitol, but it is a substantial building. It is also going to be very close to the Renaissance Springfield Hotel, which we have been examining in detail this afternoon.

The reason I am concerned or have an objection to the conference committee report now before the Senate is that the conference committee report authorizes \$50 million in Federal funding for the Abraham Lincoln site but does not carry the requirement that passed out of the Senate that the project be competitively bid in accordance with Federal law. Instead, it would appear the money that is authorized in the conference committee report—instead of having a competitive bid requirement, it says that the \$50 million is authorized to go to an entity that will be selected later which would design and construct the library.

The language does not make clear that the entity would be a governmental entity. It is possible, based on reading the conference report, that the \$50 million could be channeled to private sources. Presumably, that would not happen however. Presumably, the money would be given to the State of Illinois.

We have reviewed what would happen if the money were given to the State of Illinois, how the State of Illinois would award construction contracts. Presumably, the State of Illinois would turn the project over to its Capital Development Board. We reviewed and examined earlier today a giant loophole in the Capital Development Board—the statute on procurement that governs the Capital Development Board. They have a right to opt out of competitive bidding. Apparently, in the statute, they can just decide they are not going to have competitive sealed bids on the project.

That loophole gives me pause for the reason that I thought we ought to have

a tighter set of restrictions. I proposed an amendment that would require that the Federal competitive bid guidelines be attached to the project. I think that would take care of the problem. We are examining in detail the concerns I have and some of the red flags that have occurred to me with this project.

I spent 6 years in the Illinois State Senate in Springfield. I have a pretty good idea of how State government operates. I am familiar with many of the people who are involved with this project. After taking a very close look at the project, it originally started out as a \$40 million project, then went to a \$60 million project. At one time they were talking about a \$140-something million project; now it is back down to a \$115 million or a \$120 million project. They are seeking \$50 million from the State of Illinois, \$50 million from the Federal Government, and \$10 million in essentially tax breaks from the city of Springfield, and possibly the contribution of some land.

They are, in addition, creating a not-for-profit corporation that was filed with the office of the Illinois secretary of state in June of this year. They have recently made, are making, or have made—it is not clear which—a request to become registered as an official charity. They could solicit and retain contributions for the Lincoln Library Foundation. They have set an ambitious goal for the foundation of raising somewhere in the neighborhood of \$50 or \$55 million.

I received from published reports that the foundation's board of directors appear to be Mrs. Julie Cellini, who is the head of the Illinois Historic Preservation Agency, and Mrs. Laura Ryan, the first lady of the State of Illinois.

Mr. REID. Mr. President, will my friend from Illinois yield for a question without losing his right to the floor?

Mr. FITZGERALD. I yield for a question.

Mr. REID. The Senator from Illinois has the floor. The Senator from North Dakota, under a unanimous consent agreement, has a right to speak when the Senator finishes. The Senator from Idaho wishes to speak for 10 minutes. I am wondering if the Senator from Illinois would agree that Senator CRAIG could speak now for 10 minutes, with the Senator from Illinois retaining his right to the floor, and at such time as Senator DORGAN comes to the floor we allow him to speak for up to 20 minutes.

Mr. FITZGERALD. I would go along with that as long as I could be recognized upon the completion of the remarks of the Senator from Idaho and upon the completion of the remarks of Senator DORGAN, and that my recognition would count as a continuation of the speech I am now delivering on the Senate floor.

Mr. REID. That was the intent of the unanimous consent request.

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

Mr. REID. As I understand it, the Senator from Idaho is now going to be recognized for 10 minutes.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, I thank both Senators and the Senator from Illinois for yielding. It certainly was his prerogative not to yield because he controls the time, and I appreciate that, and the Senator from Nevada for accommodating me and working out the differences.

Mr. CRAIG. Mr. President, I had hoped that I would be able to respond in part while the Senator from Louisiana was on the floor speaking about her concerns about the CARA legislation. She certainly has made every effort to move that legislation, which is important to her State.

Both the Senator from Louisiana and I serve on the Energy and Natural Resources Committee on which that legislation was formed. She has always been courteous. We have worked closely together on the issue.

I could not and do not support CARA as it is currently crafted and as it was voted out of the Energy and Natural Resources Committee. I said very early on to the citizens of my State and to my colleagues on that committee that I would strongly oppose any bill that created a Federal entitlement that allowed the Federal Government to own more of the State of Idaho. The Federal Government already owns nearly 64 percent of my State. And this year you watched Federal forests in my State burn, with tremendous fire and heat, causing the destruction of the environment and resources. My State forests did not burn. The private forests in Idaho did not burn because they were managed. They were thinned. They are healthy, growing, dynamic forests that provide marvelous habitat and quality water to our streams, to our fisheries, and to the life-style of my beautiful State.

Two weeks ago, I was in a helicopter flying over the nearly 1.2 million acres of charred national forests in my State—charred almost to a point of nonrecognition. It will take a decade or more for the natural environment to begin to return. That could have been avoided to some degree, if the Forest Service and its management had not become an agency of benign neglect, which had simply turned its back on these living environments, and had helped Mother Nature to improve them in a way that they would not have burned in such a catastrophic fashion.

The reason I say that is because many want the Federal Government to own more land. Somehow the Federal Government's ownership has in some people's minds become synonymous with quality environment. That is simply not true today.

Nearly 40 million acres of national forest land are in a dead or dying condition—bug-infested, overpopulated with trees, and as a result drought stricken, with the health of the trees

declining and the health of the forests faltering.

Is that a way to manage lands? No, it isn't. The Senator from Louisiana knows that. She knows my strong opposition to additional ownership of Federal property in my State. She worked with me. She worked with me very closely to try to change that equation, and we simply could not get that done.

That is why we did something different in this Interior appropriations bill. It is not CARA and it is not land legacy, but it does recognize the importance of spending money for certain resource values, for certain wildlife habitat values, for certain coastal needs of the kind the Senator from Louisiana has for the general well-being of the environment with moneys coming from offshore oil royalties, many of them generated in the gulf south of her State and out into the ocean beyond Louisiana. On that, she and I do not disagree. But I will continue to be a strong opponent of an attitude or a philosophy and an effort to fund an attitude and a philosophy that somehow if the Federal Government owns the land, it is going to be better protected. In my State of Idaho, because nearly 64 percent is owned by the Federal Government, they also dictate the economy of my State.

Today we had a hearing in the Small Business Committee about the impact of forest policies on all of the small communities of my State. I chair the Forestry Subcommittee of this Senate. We have held over 100 hearings since 1996 examining the character of decision-making in the U.S. Forest Service and that they ignore small business today, and they turn their back on small communities that adjoin those forests.

Is it any wonder why nearly all of those small communities in Idaho and across the Nation today associated with public forests have 14 and 15 percent unemployment while the rest of our country flourishes because of the high-tech economy? No. It is quite obvious that is what is happening because this Government and this administration have locked the door on the U.S. forested land and turned their back and walked away. With that, thousands of jobs and 45,000 schoolchildren in rural schools across the Nation are deprived of the money that would have come to them by an active management plan of the U.S. Forest Service because of long-term policies that allowed counties and school districts to share in those revenues.

I can't stand here as someone representing the State of Idaho and say: Give the Federal Government more money to buy more land in the State of Idaho to make it Federal. I can't do that in good conscience, and I won't.

I am joined with my western colleagues to tell the Senator from Louisiana, somehow it has to be done differently. I am not going to suggest what we do in this bill is answer the

problems or concerns of the Senator from Louisiana. I think it probably isn't.

But I will say it is no longer an entitlement. It is not automatic for 15 years. We do not give this administration or any future administration half a billion worth of cash a year to go out and buy more and more land to turn into forest fires or dying habitat for wildlife because they won't actively manage it and care for it.

There is a lot of money in here to help our national parks. There is money for urban parks. There is money for coastal acquisitions. There is a great deal of money—\$1.8 billion, nearly \$2 billion worth. A chart shows it ratchets it up over the next number of years to nearly \$2.4 billion. It is not as originally envisioned by the CARA Coalition, but it is a great deal of what they asked for.

Ms. LANDRIEU. Will the Senator yield for clarification?

Mr. CRAIG. I have very limited time. I apologize.

I am not in any way—how do I say this—taking offense at what the Senator from Louisiana has said. We have worked very closely on this issue. She and I held fundamental disagreement on one portion of the bill. I made an effort to change that. I made an effort to have no net gain of Federal lands in the States. Willing seller, willing buyer—all of those kinds of things we worked to get. We couldn't get them.

So I have fought, as other colleagues have fought, not to allow CARA to come to the floor this year for a vote.

Let me talk more about something else before my time is up. I mentioned that nearly 1.2 million acres of Federal land burned in my State this year, beautiful forested land that was in trouble environmentally, and when Mother Nature came along and struck with her violence, it all went up in smoke.

There is a lot of money in this bill to begin to deal with those problems, a great deal of money in this bill to pay off the fire expenditures that are natural to do so. A lot of this money is to pay back the expenses that were incurred this year, the millions and millions of dollars spent each day for nearly 60 days across this country during the peak of the fire season when the skies of Idaho were gray to black, as it was true in other States across this Nation. There is a lot of money in this bill for that purpose.

There is also additional money in this bill, new language, and new policy, on which Senator DOMENICI of New Mexico and I worked with a lot of others, to try to create an active management scheme that will allow in areas where there are now urban dwellers—we call it the urban wildland interface—which I will come back to.

I thank my colleague from Illinois for yielding. This is an important bill. We have addressed a lot of the problems. I hope my colleagues will join in supporting the passage of the Interior appropriations conference report.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. FITZGERALD. Mr. President, reviewing again the proposed Abraham Lincoln Library in Springfield, IL, I emphasize the magnitude of the project. It is a proposed \$120 million project. It started as a \$40 million project, went up to \$60 million, and now it is at \$120 million. At one time, it was up to \$140 million.

Reviewing the cost of other important buildings in the city of Springfield, the estimated cost, adjusted for inflation:

The State capitol building built in 1868 to 1888, \$70 million.

The Willard Ice Building, I believe for the State Department of Revenue, a very large State office building built in 1981 to 1984, took 3 years to construct, \$70 million;

The Prairie Capitol Convention Center, a large convention center, built in 1975 to 1979, \$60 million.

This Abraham Lincoln Library will be one of the largest, most important buildings in the city of Springfield. I am supporting the project. However, I want the city of Springfield to get a \$120 million library out of the project, not a \$50 million library that just happens to cost \$120 million.

It is for that reason I have tried, and the Senate has tried, to insist that the project be competitively bid. The Senate has gone on record with the legislation that cleared the full Senate last night, unanimously requiring, with our authorization of \$50 million for this project, that the Federal rules of competitive bidding, which are set forth in this volume and are very extensive, very well thought out, were worked on by then-Senator Bill Cohen from Maine, now the Secretary of Defense—a lot of thought has gone into these rules. A lot of refinements have been made over many years. They have had to correct problems, and they have gone back to them repeatedly.

It has been a great focus of many Senators and Congresspeople in Washington. The intent of the Federal rules is to try to eliminate political favoritism in the awarding of construction contracts. The House has now in the conference committee, with provisions they have inserted into the conference committee, the same authorization that the Senate has backed. However, they struck the language requiring that Federal competitive bidding guidelines be followed.

The money is supposed to go to an entity that will be selected later. It is not clear exactly to whom the \$50 million taxpayer money will go. It is interesting that Washington passes legislation sending out the money without saying to whom it is going; that is what this provision does. One would think we would be more careful with the taxpayer money and we would know—at least for sure it would be nailed down in law—who was getting the money. Presumably the money

would wind up in the hands of the State of Illinois, and if it wound up in the State of Illinois, they would probably give it to their Illinois Capital Development Board for the Illinois Capital Development Board to construct the project in accordance with the Illinois procurement code.

Reviewing for the Senators who have just arrived, the Illinois procurement code was at one time one of the weakest, perhaps, in the country. It was strengthened a few years ago, in late 1997. I think changes were made for the better. I supported legislation—I believe it was H.R. 1633—that strengthened those guidelines. When we started to look and study in a more detailed manner how the Federal money would go, and considered what would happen if it went to the State Capital Development Board, we looked carefully at the State's procurement code and a couple of glitches popped out at us.

I want to review those glitches. The State's position on this is that if the money goes to the Capital Development Board and they build the library, they have to, under their law, use competitive bidding. It turns out, however, that contrary to the Capital Development Board's assertions, in fact, a contradiction appears in the statute governing the Capital Development Board. The portion of the procurement code that governs the Capital Board is 30.I.L.C.S.5500/30-a. It says:

Other methods. The Capital Development Board shall establish by rule construction purchases that may be made without competitive sealed bidding and the most competitive alternate method of source selection that shall be used.

That is a great big loophole in the Capital Development Board procurement code. Thus, there is the possibility that if we give this money to the State and do not attach the Federal competitive bidding guidelines, the State could simply opt out of competitively bidding the project.

That troubled me greatly, given the magnitude of the project and given a long history in Illinois of what I would say is a fairly acute problem with procurement contracts—in construction and in leasing, particularly. It occurred to me that we needed tighter safeguards.

There is another general problem I addressed earlier with the State procurement code, and that is in advance of bidding, even when they do opt to competitively bid, they don't have to tell the bidders what weight and relative importance they are going to attach to the various criteria they must set forth. The State must tell the bidders by what criteria they are going to judge the bids and make awards, but they are not going to tell you what weight they assign to the various criteria.

The problem with that is that it is like trying to pin keylime pie to the wall. You can come in with the low bid and the State can say we gave more weight, actually, to the experience of

this other bid. It costs a little bit more, but we give more weight to their experience, or vice versa; they could almost always rationalize the acceptance of any bid after the fact and make it very hard to challenge a decision by the State to not accept your bid. Of course, in contrast, the Federal code in that regard is markedly superior. It does a much better job at limiting the discretion of the procurement officers and it does that by requiring that sealed bid solicitations disclose in advance all significant bid evaluation factors and the relative importance of each factor and whether nonprice factors, when combined, will be accorded more, equal, or less weight than price.

Of course, the State rules, which do not require the relative importance for weight of the factors to be disclosed, would allow a purchasing officer to pick any bid he wants and explain his decision by saying the one factor for which that bid was better was the most important factor, and any decision could be rationalized after the fact. It would be very hard to challenge any award the State made.

Perhaps that could be why, after there have been so many articles and investigative reports written about seemingly, on their face, exorbitant rents or prices on projects, that you don't actually have much of a challenge or any history of prosecutions on that. So I feel the State code really is deficient in those two key respects. I feel the Senate did the right thing by attaching a requirement that the Federal competitive bidding guidelines attach to the project. There is greater protection for the taxpayers if we do that.

We have reviewed the history of projects in Springfield. We talked about a State loan given to a partnership that constructed the Springfield Renaissance Hotel. That hotel is located close to where the Abraham Lincoln Library is proposed to be. We talked about some of the problems that have arisen from time to time in the State of Illinois. My goal here is to try to tighten the law so we are not setting the table for another problem to occur with this project, which is, after all, being built as a monument to "Honest Abe" Lincoln, perhaps the greatest President in history. We want to make sure the taxpayers get the value of all the resources they are contributing.

We have reviewed how the State previously gave out loans to build the hotels. Those loans were never fully repaid. I believe there is still a substantial outstanding balance. We have, thus, in that manner, begun laying before the Senate the context in which my deep concern arises by the lose authorizing language in the conference committee report before the Senate.

Now, we read the article "Taxpayers Stuck With \$30 Million Hotel Tab." I want to turn to an article that appeared in the Chicago Sun Times on October 6, 1996. It is an article by Tim Novak, Chuck Neubauer, and Dave

McKinney. If I may read this article, the headline is:

Cellini State Capitol's Quiet Captain of Clout; Dealmaker Built Empire Working in Background.

Outside the state Capitol, William Cellini is just another businessman.

Inside, Cellini is one of the most powerful people in state government, a man who has built a personal empire worth at least \$50 million through his ties to the governor's office dating back to 1968.

This 62-year-old son of a Springfield policeman is perhaps the most feared, respected and invisible man in those halls of power.

He's played the system brilliantly—and legally.

Cellini has never run for state office, but he's helped run state offices—reviewing choices for the governor's Cabinet, getting scores of people state jobs and at one time even approving all federal appointments in Illinois.

His unique access has put him in position for a staggering succession of state-financed deals.

He is an owner of the state's first riverboat casino. He got state money to build a money-losing luxury hotel where he throws fundraisers for Gov. Edgar. He got state funds to build 1,791 apartments in Chicago, the suburbs and Downstate. He manages offices that he developed for state agencies. He invests pension funds for state teachers. And that is just part of his empire.

But most of all Cellini has had clout with Illinois governors starting with Richard Ogilvie through James Thompson and now Edgar.

Keep in mind, this is an article from 1996. George Ryan is the current Governor of Illinois. Reading again from the article:

And those relationships have been mutually profitable: the Governors got cash for their campaigns and Cellini became a multimillionaire.

"I can't recall someone similar to Bill Cellini having that access. And for that long as well," said Donald Totten, the Schaumburg Township Republican committeeman who was President Reagan's Midwest coordinator.

"He seems to always have the ears of governors, which are always the most powerful people in government," Totten said. "Thompson-Cellini, Ogilvie-Cellini. Edgar's got his sister on in a major job, so he has influence there."

Cellini's sister Janis is Edgar's patronage director, in charge of hiring people for the highest level jobs. Both Cellinis accompanied Edgar on a two-week trade mission to Asia last month.

Cellini has clout. But money is the foundation of his far-reaching empire. Specifically, his ability to raise cash—primarily from road builders—while rarely giving any of his own money. Cellini raises hundreds of thousands of dollars, mainly for those Republicans, primarily candidates for governor, but also for those seeking the White House like Gerald Ford, Ronald Reagan, George Bush and Bob Dole.

Throughout it all, Cellini has been granted extraordinary powers, clout that elected officials usually reserve for themselves.

When Edgar took office, Cellini interviewed candidates for the Cabinet and made recommendations—particularly for state departments that do business with Cellini's companies.

"The reason he's involved in Cabinet selections is Bill Cellini has seen more Cabinet members come and go. He has good instincts about what it takes to be a good Cabinet

member," said state Sen. Kirk Dillard (R-Hinsdale), who spent three years as Edgar's first chief of staff.

Cellini has also spent nearly 30 years helping scores of people get jobs in state agencies, creating what some call a patronage army more loyal to Cellini than any governor.

"He probably knows more people in state government than I do," Thompson told the Sun-Times in 1990 as he was winding down his 14 years as governor.

Cellini's clout has gone all the way to the White House based on letters and memos from the Gerald R. Ford Library. Under President Ford, Cellini was in charge of all federal appointments in Illinois, according to a letter from Don "Doc" Adams, a longtime Cellini friend who was chairman of the Illinois Republican Party when Ford was president.

"As you know Bill Cellini is the man we've designated to coordinate Federal and State appointments for the state of Illinois," Adams wrote in 1976 to Ford's personnel director, Douglas Bennett.

"If Doc Adams is telling the White House that Bill Cellini is the guy to go to in Illinois . . . Bill is operating as a political boss without having to be an elected official," said a longtime Republican who requested anonymity.

It's hard to find people, Republican or Democrat, willing to talk about Cellini and Cellini adds to the intrigue by shunning the spotlight.

Cellini ignored numerous requests from the Chicago Sun-Times to discuss his empire and power. Over the past few years, Cellini has placed many of his financial holdings in trusts to benefit his son, William Jr., 27, and daughter, Claudia, 22.

Keep in mind this article is from 1996.

Often referred to as a Downstate Republican powerbroker, Cellini has numerous business deals in Chicago and the suburbs, often working with businessmen allied with Democrats such as Mayor Daley.

Cellini spends so much time in Chicago that he bought a \$594,000 condo on Michigan Avenue in 1993 without a mortgage. He also has a \$325,000 home without a mortgage in an elite Springfield neighborhood. It's a long way from the Springfield duplex he and his wife, Julie, shared when he went to work for Ogilvie in 1969.

"There's no doubt he's probably done pretty well," Edgar said. "But there are a lot of people who have made money off state government who have never been involved in politics . . . who have never worked a precinct or helped a candidate.

"I think there's a lot of folks who are envious of Bill Cellini."

THE OGILVIE YEARS

"When I met Bill Cellini he was a local politician. That was it," said John Henry Altorfer, a Peoria businessman who hired Cellini to manage his campaign for governor in 1968.

Cellini (pronounced, Suh-LEE-nee), a former high school physics teacher, was in his early 30s and building a reputation as a Downstate power while serving his second term on Springfield's City Council. Altorfer said he thought Cellini could deliver Downstate votes and help him win the Republican nomination for governor in a four-way race that included Cook County Board President Richard Ogilvie.

Cellini "was very energetic and had a lot of ideas," said Altorfer, who now lives in Arizona. "He worked very hard for me until I lost."

Altorfer beat Ogilvie in the Downstate counties, but Ogilvie carried Cook County and won the primary. Ogilvie brought Cellini

along to garner Downstate support, a move that has left Altorfer with lingering suspicions.

"Some of my friends came to me and said, 'Do you think Bill was secretly working for Ogilvie?'" Altorfer said. "Ogilvie had inside information about my campaign and I wasn't sure where it came from.

"The only person who worked for me who received anything was Bill Cellini," Altorfer said. "I have to believe he was being repaid. I thought he had loyalties to two people, me and Ogilvie."

Altorfer "didn't lose because of Cellini," said Thomas Drennan, a political advisor to Ogilvie. "Cellini beat our brains out" in the primary.

"He was just an excellent organizer," Drennan said. "He was like a good precinct captain, but countywide."

Ogilvie was elected governor and he picked Cellini to become the state's public works director, overseeing construction of the interstate highway system that had started in the 1950s.

Cellini, who was 34, had experience with road construction, having served as Springfield's streets commissioner while on the City Council and as a member of the Roads and Bridges Committee when he was on the Sangamon County Board.

Cellini rose quickly under Ogilvie. Cellini headed a task force that created the Illinois Department of Transportation and he became the first director, overseeing a \$1.6 billion budget and 10,000 employees. His \$40,000 salary was second only to Ogilvie's.

Cellini was also chosen to head other committees. One pushed for extending the rapid transit line to O'Hare Airport. Another pushed for building the Deep Tunnel, the ongoing public works project to relieve flooding in Cook County.

"He expanded his influence when he was secretary of transportation," said Totten, who was a transportation deputy under Cellini. "He was a very powerful, behind-the-scenes politician in Springfield. And he still is."

Road construction boomed under Cellini and Ogilvie, but so did allegations of collusion among road builders seeking to cash in on the work. A handful of road builders were convicted in the federal probe and temporarily suspended from getting any more federally funded highway projects.

The probe included accusations that Cellini's top deputies used IDOT helicopters to swoop down on construction sites to pick up campaign donations for Ogilvie. No state officials were ever charged in the probe that continued after Ogilvie lost his re-election bid in 1972 to Dan Walker, the Democrat who defied Mayor Daley's machine to become governor.

Mr. DORGAN. Mr. President, I wonder if the Senator from Illinois will yield at this point.

Mr. FITZGERALD. I will yield for a question.

Mr. DORGAN. Mr. President, my understanding from the colloquy with the Senator from Nevada is that the Senator from Illinois indicated he would yield to me for 20 minutes without him losing the continuity of his presentation and with the stipulation he be recognized upon the completion of my remarks.

Mr. FITZGERALD. Mr. President, I ask unanimous consent that the Senator from North Dakota now be recognized for 20 minutes and that I be recognized upon the completion of his remarks and that my rerecognition

count as a further continuation of the speech I began earlier today.

The PRESIDING OFFICER (Mr. CRAPO). Without objection, it is so ordered. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I want to say a few words about the Interior conference report which is before the Senate, but first I want to make some brief comments on a bill called CARA, the Conversation and Reinvestment Act.

My colleague from the State of Louisiana and other colleagues from the State of Florida and many other areas of the country feel, as I do, that it is very important for us to try to finish this important bill before we finish our work this year.

CARA is a bill dealing with conservation, preservation, and reinvestment in our natural resources, wildlife, parks, and public lands. We struggled to bring that out of the Energy Committee under the leadership of Senator MURKOWSKI. My hope is, before this Congress adjourns, we will have the opportunity to pass it through the Senate and find a way to have the House of Representatives work with us to accept it so it can become law. It is a very important piece of legislation.

Mr. President, let me say a kind word about my colleague from the State of Washington, Senator GORTON, and also my colleague from West Virginia, Senator BYRD.

I come to the floor to talk about this conference report. I am on the Interior Subcommittee. I have told my two colleagues before—the chairman and the ranking member—that I think they have done an awfully good job. This is not easy work. It is hard work, trying to fit unlimited wants into limited resources. How do you do all of that? You have to make choices. Sometimes the choices are hard and painful, but you have to make choices.

While I would like to see more investment and more spending in some areas that I think are critical, I must say that this year, once again, Senator GORTON and Senator BYRD have taken another step—a significant step—in addressing some of these critical needs. And it has not always been done in the past. So I say to them, thank you. And good for you. I appreciate the work you have done.

I especially wanted to come to the floor today to speak for a few minutes about the issues of Indian education. I have been such a strong advocate of Indian schools. These schools on Indian reservations—both the BIA schools and the public schools on or near reservations—that do not have much of a tax base to help them are in desperate need of repair. The legislation that was brought to the floor of the Senate does, this time, make some significant strides in providing investments for those areas.

Let me use some charts that I have shown before to demonstrate why this is an important issue.

This is the Marty Indian School in Marty, SD. This picture shows what

happens to be some of their plumbing. Take a look at that and ask if that is where you would be proud to send your kids to school—to an old 70- and 80-year-old building that is in desperate condition with, effectively, rubber Band-Aids around their water pipes and sewer pipes.

This is another picture of the Marty Indian School; an old rusty radiator with crumbling walls. Would we be proud to send our children into those classrooms?

I have been to the Ojibwa Indian School many times. This is a picture showing the plywood that separates this building from a caved in foundation, which separates children from danger. Of course, many of the children in Ojibwa go to a series of structures, modular structures, that are kind of like the double-wide mobile homes.

This picture shows the fire escape. Note the fire escape is a wooden set of stairs. These little children at the Ojibwa school move back and forth between all these modular structures, in the middle of the winter, with wind and snow blowing. I have been there. I have seen the wiring and other things that lead you to question whether those children are safe in those schools. We have report after report after report saying this school needs to be rebuilt.

Here is a fire escape made of wooden stairs in these modular classrooms. These modular classrooms go inside. Again, they are in desperate need of repair. My point is that we need to do better than this.

My two colleagues, who have put this bill together, have made a step forward this year in construction money and repair and renovation money for these schools. I say to them, thank you. I hope we can do even more in the coming years. But I appreciate the effort we have made this year.

I will make another point about Indian education. I want to read something to my colleagues. The other issue that is so important to me is the issue of the Indian tribal colleges around this country. They have been such a blessing to so many people who have been left behind.

There are so many people in this country who have been left behind, especially on the Indian reservations, living in poverty, living in communities with substantial substance abuse, violence that is the kind of unspeakable violence that breaks your heart.

I have talked about a young woman on the floor of the Senate before named Tamara Demarais. I met her one day. Young little Tamara was 3 years old when she was put in foster care. One person was handling 150 cases of these children. So that person, working these cases, put little Tamara, at age 3, in foster care and did not check closely enough the family she was putting this little 3-year-old with.

This is what happened to Tamara. At a drunken party, this little 3-year-old girl had her hair torn out by the roots, had her arm broken, and her nose broken in a severe beating.

How did that happen? Why did that happen to this little girl? Because somebody did not care enough or did not have the time to check to see whether they were putting this little girl in a family who was going to be harmful to her. She went to a foster home and was beaten severely at age 3.

I met that little girl about 2 years later. I wonder how long it will take her to get over the scars of what happened to her. But it happens too often—the struggle, the violence, amidst the poverty. How do we break out from that in these circumstances?

I want to tell you a story about tribal colleges. As the Senator from Washington will remember, in the full Appropriations committee in the Senate, I offered an amendment to add a couple million dollars. I am pleased to say that this funding stayed in this legislation. These tribal colleges are the colleges where those who have kind of been left behind in many cases go back to school. Often the only way they can do that is to have an extended family right on the reservation for child care and for other assistance; and then they can go to school.

I have talked before about the woman I met who was the oldest graduate at a tribal college when I gave the graduation speech one day. This is a woman who had been cleaning the toilets in the hallways of the college, a single mother with four children, and no hope and no opportunity.

She said to herself: I would like to graduate from this college somehow. So as she toiled, cleaning the school at nights, she put together a plan to try to figure out a way to go to that college and graduate. The day I showed up, she had a cap and gown and a smile on, because this mother of four, with the help of Pell grants and student aid and other things, was a college graduate. Imagine, that is what it does to the lives of these people.

I will read from a letter of someone who says it better than I could.

I grew up poor and I was considered backward by non-Indians.

My home was a two-room log house in a place called the "bush" on North Dakota's Turtle Mountain Indian Reservation.

I stuttered. I was painfully shy. My clothes were hand-me-downs. I was like thousands of other Indian kids growing up on reservations across America.

When I went to elementary school I felt so alone and so different. I couldn't speak up for myself. My teachers had no appreciation for Indian culture.

I'll never forget that it was the lighter-skinned children who were treated better. They were usually from families that were better off than mine.

My teachers called me savage.

Even as a young child I wondered . . . What does it take to be noticed and looked upon the way these other children are?

By the time I reached 7th grade, I realized that if my life was going to change for the better, I was going to have to do it. Nobody else could do it for me.

That's when the dream began. I thought of ways to change things for the better—not only for myself but for my people.

I dreamed of growing up to be a teacher in a school where every child was treated as sacred and viewed positively, even if they were poor and dirty.

I didn't want any child to be made to feel like I did. But I didn't know how hard it would be to reach the realization of my dream. I almost didn't make it.

By the time I was 17, I had dropped out of school, moved to California, and had a child. I thought my life was over.

But when I moved back to the reservation I made a discovery that literally put my life back together.

My sisters were attending Turtle Mountain College, which had just been started on my reservation. I thought that is something I could do, too, so I enrolled.

In those days, we didn't even have a campus. There was no building. Some classes met at a local alcohol rehabilitation center in an old hospital building that had been condemned.

But to me, it didn't matter much. I was just amazed I could go to college. It was life-changing.

My college friends and professors were like family. For the first time in my life I learned about the language, history and culture of my people in a formal education setting. I felt honor and pride begin to well up inside of me.

This was so unlike my other school experience where I was told my language and culture were shameful and that Indians weren't equal to others.

Attending a tribal college caused me to reach into my inner self to become what I was meant to be—to fight for my rights and not remain a victim of circumstances or of anybody.

In fact, I loved college so much that I couldn't stop. I had a dream to fulfill . . . or perhaps some would call it an obsession.

This pushed me on to complete my studies at Turtle Mountain College and earn a Doctorate in Education Administration from the University of North Dakota.

I've worked in education ever since, from Head Start teacher's aide to college professor.

Now I'm realizing my dream of helping Indian children succeed. I am the Office of Indian Education Programs' superintendent working with nine schools, three reservations, and I oversee two educational contracts for two tribal colleges.

My life would not have turned out this way were it not for the tribal college on my reservation.

This is Loretta De Long. Loretta is a good friend of mine, a remarkable woman, a remarkable educator. She writes a letter—I have not read all of it, there is another page—but she writes a letter that describes in such wonderful, vivid detail the struggle and the difficulty to overcome the obstacles early in her life and the role the tribal college played in her life.

The Turtle Mountain Community College is a wonderful place. I have been there many times. I have spoken at their commencement. They now have a new campus. They have people going to college there who never would have had a chance to get a college education, but being able to access the extended family on the reservation for child care and a range of other things, there are people getting education at this tribal college who would not have had the opportunity before.

It is not just this college. It is the Sitting Bull College at Fort Yates. I

was down there recently and helped them dedicate a new cultural center. There are so many good tribal colleges that are providing opportunity for people such as Loretta.

There are people like Loretta who are going to schools of the type I described earlier. They are going to schools with heating registers that look like this. They are going to schools with plumbing that looks like this. That ought not happen. We know better than that. We can do better than that for these kids. It doesn't matter where you are in this country, when you send a kid through a schoolroom door, you ought to believe, as an American, that we want that child to go through the best classroom door in the world; we want that classroom to be one we are proud of.

I have mentioned before—and if it is repetitive, tough luck—I have mentioned before Rosie Two Bears, who, in the third grade at Cannonball, looked up at me and said: Mr. Senator, are you going to build us a new school? Boy, do they need it. Rosie Two Bears deserves, as every other young child in this country, the opportunity to go to a school we are proud of—we, as Americans, are proud of. She goes to a school right near an Indian reservation, just off the site of the reservation, with no tax base at all. It is a public school. We need to fix that.

The point is, that is sort of a long way of describing almost an obsession of mine—that we can't leave people behind in this country. This country is doing well. I am proud of that. But we can't leave people behind. There are some young kids, especially in this country, who are being left behind, going to schools that are not adequate. There are others who will be left behind if we don't continue to strengthen these tribal colleges.

A final comment: The amount of money we provide for tribal colleges with this legislation will provide \$3,477 per pupil, and that is an improvement.

Let me finish by saying I commend the Senator from Washington and the Senator from West Virginia and others with whom I have worked. But the authorization is at the \$6,000 level. And, frankly, in community colleges around the country—community colleges, not tribal colleges—the average support for students is over \$6,000 per student. So we are still well short in tribal colleges of doing what we can to make these the kind of institutions we all know they can be.

I conclude by asking unanimous consent that the entire letter of Dr. Loretta De Long, from which I quoted, be printed in the RECORD.

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

TURTLE MOUNTAIN AGENCY,
TURTLE MOUNTAIN, NORTH DAKOTA
DEAR FRIEND OF THE COLLEGE FUND, I grew up poor and considered backward by non-Indians.

My home was a two-room log house in a place called the "bush" on North Dakota's Turtle Mountain Indian Reservation.

I stuttered. I was painfully shy. My clothes were hand-me-downs. I was like thousands of other Indian kids growing up on reservations across America.

When I want to elementary school I felt so alone and different. I couldn't speak up for myself. My teachers had no appreciation for Indian culture.

I'll never forget that it was the lighter-skinned children who were treated better. They were usually from families that were better off than mine.

My teachers called me savage.

Even as a young child I wondered . . . What does it take to be noticed and looked upon the way these other children are?

By the time I reached 7th grade I realized that if my life was going to change for the better, I was going to have to do it. Nobody else could do it for me.

That's when the dream began. I thought of ways to change things for the better—not only for myself but for my people.

I dreamed of growing up to be a teacher in a school where every child was treated as sacred and viewed positively, even if they were poor and dirty.

I didn't want any child to be made to feel like I did. But I didn't know how hard it would be to reach the realization of my dream. I almost didn't make it.

By the time I was 17 I had dropped out of school, moved to California, and had a child.

I thought my life was over.

But when I moved back to the reservation I made a discovery that literally put my life back together.

My sisters were attending Turtle Mountain College, which had just been started on my reservation. I thought that was something I could do, too, so I enrolled.

In those days, we didn't even have a campus. There was no building. Some classes met at a local alcohol rehabilitation center in an old hospital building that had been condemned.

But to me, it didn't matter. I was just amazed I could go to college. It was life-changing.

My college friends and professors were like family. For the first time in my life I learned about the language, history and culture of my people in a formal education setting. I felt honor and pride begin to well up inside me.

This was so unlike my prior school experience where I was told my language and culture were shameful and that Indians weren't equal to others.

Attending a tribal college caused me to reach into my inner self to become what I was meant to be—to fight for my rights and not remain a victim of circumstance or of anybody.

In fact, I loved college so much that I couldn't stop! I had a dream to fulfill . . . or perhaps some would call it an obsession.

This pushed me on to complete my studies at Turtle Mountain College and to ultimately earn a Doctorate in Education Administration from the University of North Dakota.

I've worked in education ever since, from Head Start teacher's aide to college professor.

Now I'm realizing my dream of helping Indian children succeed. I am the Office of Indian Education Programs' superintendent working with nine schools, three reservations, and I oversee two educational contracts with two tribal colleges.

My life would not have turned out this way were it not for the tribal college on my reservation.

My situation is not unique and others feel this way as well. Since 1974, when Turtle Mountain College was chartered by the Turtle Mountain tribe, around 300 students have

gone on to earn higher degrees. We now have educators, attorneys, doctors and others who have returned to the reservation. They—I should say, we—are giving back to the community.

Instead of asking people to have pity on us because of what happened in our past, we are taking our future into our own hands.

Instead of looking for someone else to solve our problems, we are doing it.

There's only one thing tribal colleges need. With more funding, the colleges can do even more than they've already achieved. We will take people off the welfare rolls and end the economic depression on reservations. Tribal colleges have already been successful with much less than any other institutions of higher education have received.

That is why I hope you will continue to support the American Indian College Fund.

I'm an old timer. The College Fund didn't exist when I was a student. I remember seeing ads for the United Negro College Fund and wishing that such a fund existed for Indian people.

We now have our own Fund that is spreading the message about tribal colleges and providing scholarships. I'm so pleased. I believe the Creator meant for this to be.

But so much more must be done. There still isn't enough scholarship money available to carry students full time.

That is my new dream *-*-* to see the day when Indian students can receive four-year scholarships so they don't have to go through the extremely difficult struggle many now experience to get their education.

I hope you'll keep giving, keep supporting the College Fund, so that some day this dream becomes reality.

I know it can happen because if my dream for my future came true, anything is possible.

Thank you.

Sincerely,

LORETTA DE LONG, ED.D.,

Turtle Mountain Chippewa,

Superintendent for Education.

Mr. DORGAN. I have a number of other letters from people whose stories are just as inspiring, about their lives and the changes in their lives as a result of being able to access the education opportunities at tribal colleges.

Mr. GORTON. Will the Senator yield?

Mr. DORGAN. I am happy to yield for a question. The Senator from Illinois will retain the floor following my presentation.

Mr. GORTON. That is correct.

I want to thank the Senator for his compliments and to say what is obvious—that his dedication and commitment to his constituents in this connection is both praiseworthy and effective.

Earlier in the course of this debate, the Senator from New Mexico, Mr. DOMENICI, was here to speak to the same subject. He and the Senator from North Dakota made a very good team. Together they persuaded the President to include this very significant amount of money, both for the construction of new Indian schools and for the repair of those that can appropriately be repaired or remodeled. But as the Senator from New Mexico pointed out, this is the first major contribution to that. I can say that as long as I am in this position and as long as the Senator from North Dakota is in his, I know we will keep this in the forefront of our

consideration. And I tell him that we are going to try to get to the bottom of that priority list as well as to the top of the priority list.

The Senator from North Dakota has done a good job in a good cause, and this bill takes a major step forward in meeting those priorities.

Mr. DORGAN. Mr. President, may I ask how much time is remaining?

THE PRESIDING OFFICER. Fifteen seconds.

Mr. DORGAN. If I might just conclude, I thank the Senator from Washington. I should certainly have, at the start of my presentation—and I did not—given credit to President Clinton. In his budget request, the Senator from Washington mentioned he did start a process this year to say we must do better.

So also, it seems to me, this administration deserves significant credit for the first steps in what I am sure will be a long journey, but one that we must complete. I thank the Senator from Washington and also the Senator from Illinois.

THE PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. FITZGERALD. Mr. President, I thank my colleagues from North Dakota and Washington. I appreciate this opportunity to continue reading an article from the Chicago Sun-Times dated October 6, 1996. The article is by Tim Novak, Chuck Neubauer, and Dave McKinney, headlined "Cellini: State Capitol's Quiet Captain of Clout; Dealmaker Built Empire Working in Background."

As you will understand, if you listen to the articles I am reading, we are ultimately leading up to a tie-in back to the Abraham Lincoln \$120 million Presidential library in Springfield, IL. The article earlier discussed the Ogilvie years—Governor Ogilvie's administration in Illinois. And where we last left off was at the beginning of the Walker years. Walker was the Governor of Illinois who succeeded Ogilvie in the early 1970s.

Continuing with the article:

With Walker in the governor's office, Cellini was out of a job, never to return to the state payroll. But his ties to state government grew under the Democratic governor.

"He still had all his contacts with IDOT," said Joe Falls, a former Downstate GOP leader who ran IDOT's safety programs under Cellini.

"Walker and all his people still needed his help and Bill cooperated," Falls said. "He had friends on both sides, but when it came down to an election, he was always a Republican."

Cellini became executive director of the Illinois Asphalt Pavement Association, representing virtually all state road builders, many engineering firms and other companies that build and repair state roads. And he still runs the association, serving as executive vice president.

It's an association that has been quite beneficial for the road builders and Cellini, although his salary was a modest \$49,140, according to the group's 1990 income tax returns.

Under Cellini's leadership, the association members have donated hundreds of thou-

sands of dollars to governors and other state officials over the years. Edgar has received at least \$375,000 from the association's members over the past 30 months. And the association's political action committee, the Good Government Council, has given more than \$100,000 to other state officials.

"He and the asphalt pavers continued to play the same games as always but with a Democratic administration," a longtime Republican official said.

"The key to the asphalt pavers is that they get contracts for their work on a predictable basis," the official said. "The business continued to flow and the campaign contributions flowed to the Democratic governor, just like the Republican governor."

While heading the asphalt association, Cellini developed his reputation as a national transportation authority while expanding his political power.

Soon after Cellini left the state payroll, President Richard M. Nixon appointed him to the National Highway Advisory Committee.

Cellini found the federal post was advantageous, personally and politically. When his four-year term was set to expire in March, 1976, Cellini lobbied President Gerald Ford for an appoint to the National Transportation Policy Study Commission.

"The commission has been perfect for my simultaneously covering political meetings in D.C. and around the country, while keeping up with my profession in transportation and public works," Cellini wrote in a letter to Ford's personnel director Douglas Bennett on March 11, 1976.

"Of course, I'm counting that my serving as President Ford Committee's Downstate Coordinator for Illinois won't be a disadvantage," he added in the letter obtained from the Ford Library.

Cellini got the appointment. He also was chosen to give a speech seconding Ford's re-nomination at the 1976 Republican convention.

"They were looking for somebody with an ethnic connection, and (Ogilvie) probably recommended him," said Falls, who ran Ford's Illinois campaign.

Cellini was widely hailed for helping Ford win Illinois, although he lost the election to Jimmy Carter, one of the few times a presidential candidate won Illinois, but lost the White House.

As Cellini was expanding his power, he got into real estate development and management using the name New Frontier. The company specialized in building and managing apartments, usually with state financing, for senior citizens. The firm later branched into office buildings that were leased to the state.

In the waning days of the Walker administration, New Frontier got its first state deal when Cellini secured \$5.4 million in state funds to build a 212-unit building near the state Capitol. The building includes offices for the asphalt pavement association and Cellini's companies, including New Frontier.

It was the first of several real estate deals New Frontier would get from state government.

THE THOMPSON YEARS

Cellini turned state government into a cottage industry after the Republicans regained the governor's office with the election of James R. Thompson in 1976.

Cellini averaged more than a deal a year with the state before Thompson stepped down after 14 years in office. And state officials say they were probably others that no one was aware of.

Cellini's personal income soared in the early Thompson years. Cellini's taxable income was \$185,558 in 1978, and it nearly doubled to \$368,100 in 1979, according to records

he filed in federal tax court. He had no taxable income in 1980, \$27,539 in 1981 and \$252,349 in 1982.

Cellini's use of tax shelters created problems with the IRS, which ordered him to pay \$78,120 in back taxes for some of those years, according to tax court records filed in 1992.

New Frontier—the company Cellini started shortly before Thompson took office—and its owners were worth \$30 million when Thompson left office, according to a biography New Frontier used to attract clients in 1990.

Under Thompson, Cellini and New Frontier built nine apartment buildings in Chicago, the suburbs and Downstate with an additional \$84.1 million in loans from the state housing authority, whose chairman A.D. Van Meter is a close friend of Cellini.

New Frontier also became one of the state's biggest landlords in Springfield, providing offices for several agencies such as Corrections, Public Aid and IDOT, the agency Cellini started.

Sometimes the state agreed to move into the buildings before New Frontier bought them. Sometimes the State hired New Frontier to erect buildings and lease them to the state, all without competitive bids, which Illinois does not require for its real estate transactions.

When New Frontier was chosen to build and lease a building for IDOT, Cellini already had an option to purchase the land.

Cellini has sold all of those buildings, but New Frontier still manages them.

And Cellini created new companies to get other deals under Thompson.

The President Lincoln Hotel Corp. got a \$15 million loan from Thompson and state treasurer Jerry Consentino, a Democrat, so Cellini could build a luxury hotel in Springfield, a long-time dream that no one else would finance.

Cellini's dream has turned into a nightmare. Before Thompson and Cosentino left office, they renegotiated the loan twice lowering the interest rate to 6 percent from 12.5 percent to keep Cellini from defaulting. The current agreement prevents the state from foreclosing on the hotel until 1999, while Cellini can skip quarterly mortgage payments when the hotel operates at a loss.

The deal has caused a political backlash for Cellini.

State Treasurer Judy Baar Topinka cut a deal last year to let Cellini's hotel and another state-financed hotel in Downstate Collinsville pay \$10 million to settle their debts which totaled \$40.3 million. Attorney General Jim Ryan squashed the deal, arguing the hotels were worth more than \$10 million.

Cellini and the Collinsville hotel owners, who include politically connected developer Gary Fears, sued, arguing that Ryan had no authority to cancel their deal with Topinka. The pending suit was brought by Winston & Strawn, the powerful law firm where Thompson now works.

Cellini's hotel plays a prominent role in his empire. When road builders come to bid for state contracts, many of them stay in the hotel resplendent with Italian marble, cherry wood and special shower rods that were invented and patented by Cellini—designed to keep the shower curtain from sticking to the backside of his guests.

The hotel is also the place where Cellini throws fund-raisers, like the bash he threw for Edgar the day after Topinka agreed to settle the hotel loan.

Cellini had made a lot of deals, but he hit the jackpot when he and a new group of partners got a riverboat casino license from the state two months before Thompson left office. Cellini's Alton Belle was the state's first floating casino when it opened a few months after Edgar took office in 1991.

Within two years, Cellini's group issued public stock in their casino company, Argosy

Gaming, a deal that immediately netted Cellini \$4.9 million and left him as one of the largest stockholders whose stock was worth \$50 million. Since then, the stock's value has fallen and Cellini has sold off some shares. His family's remaining stock was worth \$12 million last Wednesday.

"Right now the way Bill makes his money is by ownership of that boat," said a former state official, who asked not to be identified. "It's questionable if . . . he needs to do any of these other deals. It's thought that he's hooked on deals. He just can't resist making deals."

And while most of those deals came under Thompson, the former governor told the Sun-Times in 1990 that he had nothing to do with Cellini's influence.

"He was on the political scene when I became governor," Thompson said. "He'll be on the political scene when I leave."

THE EDGAR YEARS

Cellini has remained close to the governor's office, although his deals have slowed since Edgar replaced Thompson in 1991.

Cellini has been an important source of campaign contributions for Edgar, who spent \$10.8 million to win re-election in 1994.

Two of Cellini's family members have positions in the Edgar administration: sister Janis as patronage director, and wife Julie, who has continued as chairman of the Illinois Historic Preservation Agency, an unpaid position she got from Thompson.

As we will recall, the Illinois historic preservation agency, which I believe Mrs. Cellini still runs or is in charge of, will probably be in charge of the Abraham Lincoln Presidential Library in Springfield.

New Frontier is constructing an addition to a building occupied by the state Environmental Protection Agency. New Frontier was hired to build the addition by the three businessmen who own the Springfield building. New Frontier has managed the building for the past 10 years. The state will pay \$75 million to rent the complex that it will own at the end of the 20-year deal.

Cellini lobbies for several major clients, including Chicago HMO. The state paid Chicago HMO \$155 million last year to provide health care for 75 percent of the 180,000 welfare recipients who are in managed care programs. Those numbers are likely to grow as Edgar pushes more welfare recipients into managed care.

With these vast business deals, Cellini's wealth has soared. In addition to his Argosy Gaming stock, his family has a stock portfolio worth at least \$2.26 million. They own 108 stocks that are each worth at least \$20,000 and 20 other stocks each worth at least \$5,000, according to an ethics statement his wife filed earlier this year.

And the family earned at least \$165,000 in capital gains last year from the sale of stocks they owned in 33 companies, according to the ethics statement.

Cellini remains in regular contact with Edgar's chiefs of staff, said Dillard, who had the job for three years.

"When I was the governor's chief of staff, Bill and I talked but it wasn't nearly as often as people imagined . . . a couple times a month," Dillard said. "It could be (about) upcoming political races or just rumors he would pick up."

"One of the things that makes Bill Cellini a trusted adviser is the longevity and breadth of his experience in state government," Dillard said.

"Bill Cellini personally cares in a friendship type of fashion . . . about governors Thompson and Edgar," Dillard said. "He's very different . . . from many of the other

individuals who tangentially profit from government."

Edgar's staff has consistently tried to downplay Cellini's clout, but the governor admits he has a close relationship with Cellini.

"Bill Cellini has been a friend of mine," Edgar said. "We were both here in the '60s. I was starting out in the Legislature and he was in the Ogilvie administration. I've known him a long time."

"We don't socialize much, but we have over the years done things. . . . Our daughters were about the same age," Edgar said. "If there's some issue he's got or some political thing coming up, we might talk about it. But we don't see each other that much."

Cellini's clout is greatly exaggerated, Edgar insisted, the product of stories such as this.

"It's something you in the media have kind of continued to perpetuate that aura about Bill Cellini."

There is another article on this same issue that came out a few years earlier. I would like to share that with the Senators who are here and the people in the galleries.

Continuing along on the history of what has transpired in State government in Springfield over the years, all leading up to why I am concerned that we have to make sure this \$120 million building project in Springfield is competitively bid according to the strict guidelines so that no taxpayer money goes off on insider dealing in Springfield, this article appeared in the Chicago Sun-Times of Thursday October 11, 1990. It is written by Mark Brown and Chuck Neubauer. The title of the article is "Influence Peddler Turns Clout To Cash."

As lobbyist, landlord developer, hotel operator and all-purpose influence peddler, William F. Cellini has become a legend in Springfield for his prolific ability to cash in on State government. A budding political and business force when Governor Thompson was elected in 1976, this son of a police officer is now regarded by many as the State's most influential Republican not holding elective office. Much of that reputation is based on the goodies he has culled from the Thompson administration—six major State office leases, plus State financing for eight apartment projects, one office building, and a luxury hotel.

Like all legends, it often is difficult to sort fact from fiction where Cellini is concerned. For every business deal that can be traced to him, there are always two more in which he was rumored to be involved but left no fingerprints.

Cellini, 55, tends to add to the mystery, rarely talking to reporters. He did not answer Chicago Sun-Times requests for an interview for this story.

Although he served as the state's first transportation secretary, under Gov. Richard B. Ogilvie, his only official positions these days are with the Sangamon County Republican organization.

While acknowledging Cellini's influence, Thompson denied that it stems from him.

"He probably know more people in state government than I do," Thompson said. ". . . He was on the political scene when I became governor. He'll be on the political scene when I leave. He doesn't need me to front for him."

Thompson said he speaks to Cellini no more than once a year. But they have communicated in other ways.

In one 12-month period encompassing his 1986 re-election campaign, Thompson reported using \$765 in campaign funds to buy

five antiques as gifts for Cellini and his wife. Thompson sent gifts for Christmas and as thank-yous for fund-raisers hosted by the Cellinis. The governor even remembered their anniversary.

Although Cellini's personal political donations to Thompson are not especially large, he is known for his ability to raise money from others.

"He's been very helpful," Thompson said.

One source of Cellini's clout is his role as executive vice president of the Illinois Asphalt Pavement Association, a trade group of road builders who have fared well under Thompson's policies. Their combined fundraising prowess is considerable.

Cellini also gets paid to protect the interests of three other groups, the Illinois Association of Sanitary Districts, Illinois Concrete pipe Association and Prestressed Precast Producers of Illinois.

His primary business, however, is the New Frontier Group, a diversified, Chicago-based real estate organization that was less than two years old when Thompson was elected. It now boasts that it has developed more than 1.3 million square feet of office space and 2,550 housing units.

Much of that growth is attributable to Cellini's adept use of government programs.

With \$55 million in low-interest financing from the Illinois Housing Development Authority, a quasi-state agency under Thompson's control, New Frontier Developments Co. has built eight government-subsidized apartment projects since 1976.

Cellini's New Frontier Management Co. serves as the management agent not only for his own properties but for many other Chicago-area apartment buildings.

Cellini and New Frontier also emerged under Thompson as the state's favorite Springfield landlord.

His first major office deal was in 1979, when Cellini bought an abandoned seminary and leased it to the state for a Corrections Department headquarters and training school.

The controversial arrangement was typical of many of the Cellini deals that followed because state officials strayed from normal procedures to his apparent benefit.

Corrections officials were in such a hurry to get the seminary property that they passed up an opportunity to buy it outright and instead entered into a lease-purchase agreement with Cellini. They said it enabled them to move in more quickly than if they had to go through the usual purchase process.

The lease-purchase would have allowed the state to buy the facility any time over the term of the lease—at a generally escalating price. Eleven years later, though, the state still is renting.

Cellini, who had paid \$3.6 million for the property and spent at least \$4.2 million remodeling it, collected \$9.5 million in rent from the state before selling to a Virginia company in 1987 for \$9.1 million.

Cellini proved to be in the right place at the right time for many similar opportunities, renting space to the Public Aid, Transportation and Commerce and Community Affairs departments.

In the cases of Public Aid and Transportation, Cellini's company was hired to construct buildings and lease them back to the state, bypassing the state Capital Development Board, which usually constructs state buildings on a competitively bid basis.

When Transportation Department officials got around to announcing the site that they insisted on having for their new building, it turned out that Cellini already had an option on the land.

Even when Cellini began selling his buildings, at a tidy profit, his company was kept on by the new owner to manage them. The

20-year management agreements have a special termination clause that calls for a \$1.1 million fee to be paid to Cellini's company if the new owner replaces it.

The most prominent symbol of Cellini's political influence is the Springfield Ramada Renaissance, a luxury hotel that he long had sought to build but couldn't get financed until Thompson and state Treasurer Jerry Cosentino approved a \$15 million state loan in 1982.

The hotel has been a financial embarrassment for the state, which has twice renegotiated the loan to avoid a default.

That article ended by discussing a Renaissance Springfield Hotel which, and we have heard, Mr. Cellini was instrumental in getting a State loan to construct a hotel. We also reviewed earlier that Federal funds were involved in building that hotel, and we went through and realized that hotel has not paid back that \$15 million loan—at least not as far as we know.

The proposed Lincoln Library site is going to be right near that hotel.

I turn from the hotel issue to discussing how the State awarded riverboat gaming licenses. The State, back in the beginning and the late 1980s, and I think finally in 1990, created 10 riverboat licenses. The State statute was fairly specific with respect to where many of these riverboat licenses had to be. It later turned out that in most cases, only a couple of people applied for the riverboat licenses and these licenses wound up being very lucrative. In fact, they ended up being phenomenally lucrative licenses. Again, on the riverboat licensing, as was mentioned in that article, Mr. Cellini was involved in the Alton Riverboat, the gaming company boat we have talked about.

I will proceed to discuss how those licenses were handed out.

Mr. DURBIN. Will the Senator from Illinois yield?

Mr. FITZGERALD. I yield only for a question.

Mr. DURBIN. I noticed the Senator earlier had yielded to Senators with an understanding, a unanimous consent agreement that he would not surrender the floor. I ask for the same opportunity to speak, with the unanimous consent request that the floor will be returned to my colleague from Illinois after the conclusion of my remarks.

Mr. FITZGERALD. I would be happy to accommodate my colleague. I am told that similar requests are pending from Senator GRAHAM of Florida, Senator JOHN MCCAIN, and then you? If we could work out an agreement, I would not like to bypass those who have shown up earlier. Are either of those Senators on the floor or the Cloakroom?

Mr. DURBIN. I do not believe either of those Senators are on the floor. I believe my statement will take no more than 10 minutes. With the forbearance of the Senator, I ask unanimous consent I be allowed to speak for 10 minutes, and that at the conclusion of my remarks the floor be returned to my colleague from the State of Illinois.

Mr. FITZGERALD. I am going to object to that. I am told the leader is on

his way and he is going to be making a statement.

The PRESIDING OFFICER. Objection is heard. The Senator from Illinois has the floor.

Mr. REID. The Senator has the floor, but I would like to propound a unanimous consent request that we go into a quorum call for the purpose of the leader coming to the floor, and when the majority leader completes his statement, the floor return to the Senator from Illinois and that he not be charged with a second speech.

The PRESIDING OFFICER. Is there objection?

Mr. FITZGERALD. Yes, I agree to that. I have no objection.

The PRESIDING OFFICER (Mr. SESSIONS). Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. SESSIONS). Without objection, it is so ordered.

Mr. LOTT. Mr. President, the Interior appropriations conference report obviously is a very important bill. There has been an awful lot of work that has gone into it. It does have bipartisan support. As I understand it, it is positioned to be signed into law. It passed the House 349-69, something of that nature.

The Senator from Illinois has some difficulties with a provision in this legislation. Certainly, as any Senator, he is entitled to make his point, and to make his point at length within the provisions of our rules. It is important we move forward now. We are prepared to move forward on this legislation.

CLOTURE MOTION

Mr. LOTT. Mr. President, I send a cloture motion to the desk to the pending Interior appropriations conference report.

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

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provision of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the conference report to accompany H.R. 4578, the Department of Interior appropriations bill:

Trent Lott; Ted Stevens; Larry Craig; Pat Roberts; Jim Inhofe; Mike DeWine; John Warner; Pete Domenici; R.F. Bennett; Richard Shelby; Kit Bond; Slade Gorton; Phil Gramm; Conrad Burns; Chuck Hagel; and Kay Bailey Hutchison.

Mr. LOTT. Mr. President, I will continue to work with Senator FITZGERALD and others to try to resolve this issue as best we can and any other problems that may exist. I do believe it is necessary to prepare the Senate for a cloture vote if it should be necessary.

I now ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

BREAST AND CERVICAL CANCER PREVENTION AND TREATMENT ACT OF 2000

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 641, S. 662.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 662) to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screening program.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Finance with an amendment to strike out all after the enacting clause and insert the part printed in italic.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Breast and Cervical Cancer Prevention and Treatment Act of 2000".

SEC. 2. OPTIONAL MEDICAID COVERAGE OF CERTAIN BREAST OR CERVICAL CANCER PATIENTS.

(a) COVERAGE AS OPTIONAL CATEGORICALLY NEEDY GROUP.—

(1) IN GENERAL.—Section 1902(a)(10)(A)(ii) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(ii)) is amended—

(A) in subclause (XVI), by striking "or" at the end;

(B) in subclause (XVII), by adding "or" at the end; and

(C) by adding at the end the following:

"(XVIII) who are described in subsection (aa) (relating to certain breast or cervical cancer patients);".

(2) GROUP DESCRIBED.—Section 1902 of the Social Security Act (42 U.S.C. 1396a) is amended by adding at the end the following:

"(aa) Individuals described in this subsection are individuals who—

"(1) are not described in subsection (a)(10)(A)(i);

"(2) have not attained age 65;

"(3) have been screened for breast and cervical cancer under the Centers for Disease Control and Prevention breast and cervical cancer early detection program established under title XV of the Public Health Service Act (42 U.S.C. 300k et seq.) in accordance with the requirements of section 1504 of that Act (42 U.S.C. 300n) and need treatment for breast or cervical cancer; and

"(4) are not otherwise covered under creditable coverage, as defined in section 2701(c) of the Public Health Service Act (42 U.S.C. 300gg(c))."

(3) LIMITATION ON BENEFITS.—Section 1902(a)(10) of the Social Security Act (42 U.S.C. 1396a(a)(10)) is amended in the matter following subparagraph (G)—

(A) by striking "and (XIII)" and inserting "(XIII)"; and

(B) by inserting " and (XIV) the medical assistance made available to an individual described in subsection (aa) who is eligible for medical assistance only because of subparagraph (A)(10)(ii)(XVIII) shall be limited to medical assistance provided during the period in which such an individual requires treatment for breast or cervical cancer" before the semicolon.

(4) CONFORMING AMENDMENTS.—Section 1905(a) of the Social Security Act (42 U.S.C. 1396d(a)) is amended in the matter preceding paragraph (1)—

(A) in clause (xi), by striking "or" at the end; (B) in clause (xii), by adding "or" at the end; and

(C) by inserting after clause (xii) the following:

"(xiii) individuals described in section 1902(aa)."

(b) PRESUMPTIVE ELIGIBILITY.—

(1) IN GENERAL.—Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) is amended by inserting after section 1920A the following:

"PRESUMPTIVE ELIGIBILITY FOR CERTAIN BREAST OR CERVICAL CANCER PATIENTS

"SEC. 1920B. (a) STATE OPTION.—A State plan approved under section 1902 may provide for making medical assistance available to an individual described in section 1902(aa) (relating to certain breast or cervical cancer patients) during a presumptive eligibility period.

"(b) DEFINITIONS.—For purposes of this section:

"(1) PRESUMPTIVE ELIGIBILITY PERIOD.—The term 'presumptive eligibility period' means, with respect to an individual described in subsection (a), the period that—

"(A) begins with the date on which a qualified entity determines, on the basis of preliminary information, that the individual is described in section 1902(aa); and

"(B) ends with (and includes) the earlier of—

"(i) the day on which a determination is made with respect to the eligibility of such individual for services under the State plan; or

"(ii) in the case of such an individual who does not file an application by the last day of the month following the month during which the entity makes the determination referred to in subparagraph (A), such last day.

"(2) QUALIFIED ENTITY.—

"(A) IN GENERAL.—Subject to subparagraph (B), the term 'qualified entity' means any entity that—

"(i) is eligible for payments under a State plan approved under this title; and

"(ii) is determined by the State agency to be capable of making determinations of the type described in paragraph (1)(A).

"(B) REGULATIONS.—The Secretary may issue regulations further limiting those entities that may become qualified entities in order to prevent fraud and abuse and for other reasons.

"(C) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed as preventing a State from limiting the classes of entities that may become qualified entities, consistent with any limitations imposed under subparagraph (B).

"(c) ADMINISTRATION.—

"(1) IN GENERAL.—The State agency shall provide qualified entities with—

"(A) such forms as are necessary for an application to be made by an individual described in subsection (a) for medical assistance under the State plan; and

"(B) information on how to assist such individuals in completing and filing such forms.

"(2) NOTIFICATION REQUIREMENTS.—A qualified entity that determines under subsection (b)(1)(A) that an individual described in subsection (a) is presumptively eligible for medical assistance under a State plan shall—

"(A) notify the State agency of the determination within 5 working days after the date on which determination is made; and

"(B) inform such individual at the time the determination is made that an application for medical assistance under the State plan is required to be made by not later than the last day of the month following the month during which the determination is made.

"(3) APPLICATION FOR MEDICAL ASSISTANCE.—In the case of an individual described in subsection (a) who is determined by a qualified entity to be presumptively eligible for medical assistance under a State plan, the individual shall apply for medical assistance under such plan by not later than the last day of the month fol-

lowing the month during which the determination is made.

"(d) PAYMENT.—Notwithstanding any other provision of this title, medical assistance that—

"(1) is furnished to an individual described in subsection (a)—

"(A) during a presumptive eligibility period;

"(B) by an entity that is eligible for payments under the State plan; and

"(2) is included in the care and services covered by the State plan,

shall be treated as medical assistance provided by such plan for purposes of clause (4) of the first sentence of section 1905(b)."

(2) CONFORMING AMENDMENTS.—

(A) Section 1902(a)(47) of the Social Security Act (42 U.S.C. 1396a(a)(47)) is amended by inserting before the semicolon at the end the following: "and provide for making medical assistance available to individuals described in subsection (a) of section 1920B during a presumptive eligibility period in accordance with such section".

(B) Section 1903(u)(1)(D)(v) of such Act (42 U.S.C. 1396b(u)(1)(D)(v)) is amended—

(i) by striking "or for" and inserting " for"; and

(ii) by inserting before the period the following: " or for medical assistance provided to an individual described in subsection (a) of section 1920B during a presumptive eligibility period under such section".

(c) ENHANCED MATCH.—The first sentence of section 1905(b) of the Social Security Act (42 U.S.C. 1396d(b)) is amended—

(1) by striking "and" before "(3)"; and

(2) by inserting before the period at the end the following: " and (4) the Federal medical assistance percentage shall be equal to the enhanced FMAP described in section 2105(b) with respect to medical assistance provided to individuals who are eligible for such assistance only on the basis of section 1902(a)(10)(A)(ii)(XVIII)".

(d) EFFECTIVE DATE.—The amendments made by this section apply to medical assistance for items and services furnished on or after October 1, 2000, without regard to whether final regulations to carry out such amendments have been promulgated by such date.

Mr. LOTT. Mr. President, I ask unanimous consent that the committee substitute be agreed to.

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

The committee amendment in the nature of a substitute was agreed to.

Mr. LOTT. Mr. President, I ask unanimous consent that the bill, as amended, be considered read the third time.

The bill (S. 662), as amended, was considered read the third time.

Mr. LOTT. Mr. President, I further ask unanimous consent that the Senate then proceed to Calendar No. 542, H.R. 4386, all after the enacting clause be stricken, and the text of S. 662 be inserted in lieu thereof. Further, I ask unanimous consent that the bill, as amended, be read the third time and passed, the motion to reconsider be laid upon the table, and, finally, any statements relating to this very important piece of legislation be printed in the RECORD.

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

The bill (H.R. 4386), as amended, was read the third time and passed.

Mr. LOTT. I note, Mr. President, that this is the breast and cervical cancer legislation. It has broad bipartisan support. I am very pleased we were able to