

United States to seek a global consensus supporting a moratorium on tariffs and discriminatory taxation of electronic commerce. I thank Senator WYDEN and Congressman COX for their leadership in keeping the Internet free of discriminatory taxes in the United States and around the world.

The Internet allows businesses to sell their goods all over the world in the blink of an eye. This unique power also presents a unique challenge. That challenge facing the United States and the world is developing tax policies to nurture this exciting new market. That is why I am pleased to cosponsor this resolution to urge the President to seek a global moratorium on discriminatory taxes and tariffs on electronic commerce.

The growth of electronic commerce is everywhere, including my home state of Vermont. Today hundreds of Vermont businesses are doing business on the Internet, ranging from the Vermont Teddy Bear Company to Al's Snowmobile Parts Warehouse to Ben & Jerry's Homemade Ice Cream. These Vermont businesses are of all sizes and customer bases, from Main Street merchants to boutique entrepreneurs to a couple of ex-hippies who sell great ice cream. But what Vermont online sellers do have in common is the fact that Internet commerce lets them erase the geographic barriers that historically have limited our access to markets where our products can thrive. Cyberselling is paying off for Vermont and the rest of the United States.

As electronic commerce continues to grow, the United States must take the lead in fostering sound international tax policies. The United States was the incubator of the Internet, and the world closely watches the Internet policies that we debate and propose. Our leadership is critical to the continued growth of commerce on the Internet. Our resolution advances the leadership role of the United States by urging the administration to secure a global moratorium on discriminatory e-commerce taxes.

With more than 190 nations around the world able to levy discriminatory taxes on electronic commerce, we need this resolution to contribute to the stability necessary for electronic commerce to flourish. We are not asking for a tax-free zone on the Internet; if sales taxes and other taxes would apply to traditional sales and services, then those taxes would also apply to Internet sales under our resolution. But our resolution would urge a global ban on any taxes applied only to Internet sales in a discriminatory manner. Let's not allow the future of electronic commerce—with its great potential to expand the markets of Main Street businesses—to be crushed by the weight of multiple international taxation.

Today, there are more than 700,000 businesses selling their sales and serv-

ices on the World Wide Web around the world. Estimates predict that the number of e-business Web sites will top 1 million by 2003. This explosion in Web growth has led to thousands of new and exciting opportunities for businesses from Main Street to Wall Street.

The International Internet Tax Freedom Resolution will help ensure that these businesses and many others will continue to reap the rewards of electronic commerce.●

SENATE RESOLUTION 192—EXTENDING BIRTHDAY GREETINGS AND BEST WISHES TO JIMMY CARTER IN RECOGNITION OF HIS 75TH BIRTHDAY

Mr. CLELAND (for himself and Mr. COVERDELL) submitted the following resolution; which was considered and agreed to:

S. RES. 192

Whereas October 1, 1999, is the 75th birthday of James Earl (Jimmy) Carter;

Whereas Jimmy Carter has served his country with distinction in the United States Navy, and as a Georgia State Senator, the Governor of Georgia, and the President of the United States;

Whereas Jimmy Carter has continued his service to the people of the United States and the world since leaving the Presidency by resolutely championing adequate housing, democratic elections, human rights, and international peace;

Whereas in all of these endeavors, Jimmy Carter has been fully and ably assisted by his wife, Rosalynn; and

Whereas Jimmy Carter serves as a living international symbol of American integrity and compassion; Now, therefore, be it

Resolved, That the Senate—

(1) extends its birthday greetings and best wishes to Jimmy Carter; and

(2) directs the Secretary of the Senate to transmit an enrolled copy of this resolution to Jimmy Carter.

SENATE RESOLUTION 193—TO RE-AUTHORIZE THE JACOB K. JAVITS SENATE FELLOWSHIP PROGRAM

Mr. DODD submitted the following resolution; which was considered and agreed to:

S. RES. 193

Resolved,

SECTION 1. SHORT TITLE.

This resolution may be cited as the "Jacob K. Javits Senate Fellowship Program Resolution".

SEC. 2. FELLOWSHIP PROGRAM EXTENDED; ELIGIBLE PARTICIPANTS.

(a) REAUTHORIZATION.—In order to encourage increased participation by outstanding students in a public service career, the Jacob K. Javits Senate Fellowship Program (in this resolution referred to as the "program") is extended for 5 years.

(b) ELIGIBLE PARTICIPANTS.—The Jacob K. Javits Foundation, Incorporated, New York, New York, (referred to in this resolution as the "Foundation") shall select Senate fellowship participants in the program. Each such participant shall complete a program of graduate study in accordance with criteria agreed upon by the Foundation.

SEC. 3. SENATE COMPONENT OF FELLOWSHIP PROGRAM.

(a) IN GENERAL.—The Secretary of the Senate (in this resolution referred to as the "Secretary") is authorized from funds made available under section 5, to appoint and fix the compensation of each eligible participant selected under section 2 for a period determined by the Secretary. The period of employment for each participant shall not exceed 1 year. Compensation paid to participants under this resolution shall not supplement stipends received from the Secretary of Education under the program.

(b) NUMBER OF FELLOWSHIPS.—For any fiscal year not more than 10 fellowship participants shall be employed.

(c) PLACEMENT.—The Secretary, after consultation with the Majority Leader and the Minority Leader, shall place eligible participants in positions in the Senate that are, within practical considerations, supportive of the fellowship participants' academic programs.

SEC. 4. ADMINISTRATIVE SUPPORT.

The Secretary of Education may enter into an agreement with the Foundation for the purpose of providing administrative support services to the Foundation in conducting the program.

SEC. 5. FUNDS.

An amount not to exceed \$250,000 shall be available to the Secretary from the contingent fund of the Senate for each of the 5 year periods beginning on October 1, 1999 to compensate participants in the program.

SEC. 6. PROGRAM EXTENSION.

This program shall terminate September 30, 2004. Not later than 3 months prior to September 30, 2004, the Secretary shall submit a report evaluating the program to the Majority Leader and the Senate along with recommendations concerning the program's extension and continued funding level.

AMENDMENTS SUBMITTED

DEPARTMENTS OF LABOR,
HEALTH AND HUMAN SERVICES,
AND EDUCATION, AND RELATED
AGENCIES APPROPRIATIONS
ACT, 2000

DODD (AND OTHERS) AMENDMENT
NO. 1813

Mr. DODD (for himself, Mr. JEFFORDS, Ms. SNOWE, Mr. LEVIN, Mrs. MURRAY, and Mr. JOHNSON) proposed an amendment to the bill (S. 1650) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2000, and for other purposes; as follows:

In the matter under the heading "PAYMENTS TO STATES FOR THE CHILD CARE AND DEVELOPMENT BLOCK GRANT" in the matter under the heading "ADMINISTRATION FOR CHILDREN AND FAMILIES" in title II, strike "\$1,182,672,000" and insert "\$2,000,000,000".

HUTCHISON (AND BINGAMAN)
AMENDMENT NO. 1814

(Ordered to lie on the table.)

Mrs. HUTCHISON (for herself and Mr. BINGAMAN) submitted an amendment intended to be proposed by them to the bill, S. 1650, supra; as follows:

At the appropriate place, insert the following:

SEC. . The United States-Mexico Border Health Commission Act (22 U.S.C. 290n et seq.) is amended—

(1) by striking section 2 and inserting the following:

“SEC. 2. APPOINTMENT OF MEMBERS OF BORDER HEALTH COMMISSION.

“Not later than 30 days after the date of enactment of this section, the President shall appoint the United States members of the United States-Mexico Border Health Commission, and shall attempt to conclude an agreement with Mexico providing for the establishment of such Commission.”; and

(2) in section 3—

(A) in paragraph (1), by striking the semicolon and inserting “; and”;

(B) in paragraph (2)(B), by striking “; and” and inserting a period; and

(C) by striking paragraph (3).

ASHCROFT AMENDMENT NO. 1815

(Ordered to lie on the table.)

Mr. ASHCROFT submitted an amendment intended to be proposed by him to the bill, S. 1650, supra; as follows:

At the appropriate place, insert the following:

To amend the Congressional Budget Act of 1974 to protect Social Security surpluses through strengthened budgetary enforcement mechanisms.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Social Security and Medicare Safe Deposit Box Act of 1999”.

SEC. 2. FINDINGS AND PURPOSE.

(A) FINDINGS.—The Congress finds that—

(1) the Congress and the President joined together to enact the Balanced Budget Act of 1997 to end decades of deficit spending.

(2) strong economic growth and fiscal discipline have resulted in strong revenue growth into the Treasury;

(3) the combination of these factors is expected to enable the Government to balance its budget without the Social Security surpluses;

(4) the Congress has chosen to allocate in this Act all Social Security surpluses toward saving Social Security and Medicare;

(5) amounts so allocated are even greater than those reserved for Social Security and Medicare in the President’s budget, will not require an increase in the statutory debt limit, and will reduce debt held by the public until Social Security and Medicare reform is enacted; and

(6) this strict enforcement is needed to lock away the amounts necessary for legislation to save Social Security and Medicare.

(b) PURPOSE.—It is the purpose of this Act to prohibit the use of Social Security surpluses for any purpose other than reforming Social Security and Medicare.

SEC. 3. PROTECTION OF SOCIAL SECURITY SURPLUSES.

(a) POINTS OF ORDER TO PROTECT SOCIAL SECURITY SURPLUSES.—Section 312 of the Congressional Budget Act of 1974 is amended by adding at the end the following new subsection:

“(g) POINTS OF ORDER TO PROTECT SOCIAL SECURITY SURPLUSES.—

“(1) CONCURRENT RESOLUTIONS ON THE BUDGET.—It shall not be in order in the House of Representatives or the Senate to consider

any concurrent resolution on the budget, or conference report thereon or amendment thereto, that would set forth an on-budget deficit for any fiscal year.

“(2) SUBSEQUENT LEGISLATION.—It shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, motion, or conference report if—

“(A) the enactment of that bill or resolution as reported;

“(B) the adoption and enactment of that amendment; or

“(C) the enactment of that bill or resolution in the form recommended in that conference report, would cause or increase an on-budget deficit for any fiscal year.

“(3) EXCEPTION.—The point of order set forth in paragraph (2) shall not apply to Social Security reform legislation or Medicare reform legislation as defined by section 5(c) of the Social Security and Medicare Safe Deposit Box Act of 1999.

“(4) DEFINITION.—For purposes of this section, the term ‘on-budget deficit’, when applied to a fiscal year, means the deficit in the budget in the budget as set forth in the most recently agreed to concurrent resolution on the budget pursuant to section 301(a)(3) for that fiscal year.”.

(b) CONTENT OF CONCURRENT RESOLUTION ON THE BUDGET.—Section 301(a) of the Congressional Budget Act of 1974 is amended by redesignating paragraphs (6) and (7) as paragraphs (7) and (8) respectively, and by inserting after paragraph (5) the following new paragraph:

“(6) the receipts, outlays, and surplus or deficit in the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance trust Fund, combined, established by title II of the Social Security Act;”.

(c) SUPER MAJORITY REQUIREMENT.—(1) Section 904(c)(1) of the Congressional Budget Act of 1974 is amended by inserting “312(g),” after “310(d)(2),”.

(2) Section 904(d)(2) of the Congressional Budget Act of 1974 is amended by inserting “312(g),” after “310(d)(2),”.

SEC. 4. REMOVING SOCIAL SECURITY FROM BUDGET PRONOUNCEMENTS.

(a) IN GENERAL.—Any official statement issued by the Office of management and Budget, the Congressional Budget Office, or any other agency or instrumentality of the Federal Government of surplus or deficit totals of the budget of the United States Government as submitted by the President or of the surpluses or deficit totals of the congressional budget, and any description of, or reference to, such totals in any official publication or material issued by either of such Offices or any other such agency or instrumentality, shall exclude the outlays and receipts of the old-age, survivors, and disability insurance program under title II of the Social Security Act (including the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund) and the related provisions of the Internal Revenue Code of 1986.

(b) SEPARATE SOCIAL SECURITY BUDGET DOCUMENTS.—The excluded outlays and receipts of the old-age, survivors, and disability insurance program under title II of the Social Security Act shall be submitted in separate Social Security budget documents.

SEC. 5. EFFECTIVE DATE.

(a) IN GENERAL.—This Act shall take effect upon the date of its enactment and the amendments made by this Act shall apply only to fiscal year 2000 and subsequent fiscal years.

(4) EXPIRATION.—Sections 301(a)(6) and 312(g) shall expire upon the enactment of the Social Security reform legislation and Medicare reform legislation.

(c) DEFINITION—

(1) SOCIAL SECURITY REFORM LEGISLATION.—The term “Social Security reform legislation” means a bill or a joint resolution that is enacted into law and includes a provision stating the following: “For purposes of the Social Security and Medicare Safe Deposit Box Act of 1999, this Act constitutes Social Security reform legislation.”.

(2) The term “Medicare reform legislation” means a bill or a joint resolution that is enacted into law and includes a provision stating the following: “For purposes of the Social Security and Medicare Safe Deposit Box Act of 1999, this Act constitutes Medicare reform legislation.”.

INHOFE AMENDMENT NO. 1816

Mr. INHOFE proposed an amendment to the bill, S. 1650, supra; as follows:

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE REGARDING PAYMENTS UNDER THE PROSPECTIVE PAYMENT SYSTEM FOR HOSPITAL OUTPATIENT DEPARTMENT SERVICES.

(a) FINDINGS.—The Senate finds the following:

(1) The Balanced Budget Act of 1997, in order to achieve the objective of balancing the Federal budget, provided for the single largest change in the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) since the inception of such program in 1965.

(2) Reliable, independent estimates now project that the changes to the Medicare program provided for in the Balanced Budget Act of 1997 will result in the reduction of payments to health care providers that greatly exceeds the level of estimated reductions when such Act was enacted.

(3) Congressional oversight has begun to reveal that these greater-than-anticipated reductions in payments are harming the ability of health care providers to maintain and deliver high-quality health care services to beneficiaries under the Medicare program and to other individuals.

(4) One of the key factors that has caused these greater-than-anticipated reductions in payments is the inappropriate regulatory action taken by the Secretary in implementing the provisions of the Balanced Budget Act of 1997.

(5) The Secretary of Health and Human Services, contrary to the direction of 77 Members of the Senate and 253 Members of the House of Representatives (stated in letters to the Secretary dated June 18, 1999, and September 14, 1999, respectively), has persisted in interpreting the provisions of the prospective payment system for hospital outpatient department services under section 1833(t) of the Social Security Act (42 U.S.C. 1395l(t)) in a manner that would impose an unintended 5.7 percent across the board reduction in payments under such system.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Secretary of Health and Human Services should—

(1) carry out congressional intent and cease its inappropriate interpretation of the provisions of the prospective payment system for hospital outpatient department services under section 1833(t) of the Social Security Act (42 U.S.C. 1395l(t)).

DURBIN (AND DEWINE)
AMENDMENT NO. 1817

(Ordered to lie on the table.)
Mr. DURBIN (for himself and Mr. DEWINE) submitted an amendment intended to be proposed by them to the bill, S. 1650, supra; as follows:

At the end of title II, add the following:

CHILDHOOD ASTHMA

SEC. . In addition to amounts otherwise appropriated under this title for the Centers for Disease Control and Prevention, \$50,000,000 which shall become available on October 1, 2000 and shall remain available through September 30, 2001, and be utilized to provide grants to local communities for screening, treatment and education relating to childhood asthma.

HUTCHISON AMENDMENT NO. 1818

(Ordered to lie on the table.)
Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill, S. 1650, supra; as follows:

Insert at the appropriate place the following new section.

SEC. . The Secretary of Education shall recompute the fiscal year 1996 cohort default rate under section 435 of the Higher Education Act of 1965 (20 U.S.C. 1085) for purposes of determining the eligibility for program participation during academic year 1999-2000 under title IV of such Act of Jacksonville College of Jacksonville, Texas, on the basis of the most recent data provided to the Department of Education by such College.

KENNEDY (AND OTHERS)
AMENDMENT NO. 1819

(Ordered to lie on the table.)
Mr. KENNEDY (for himself, Mr. REED, Mr. BINGAMAN, Mrs. MURRAY, Ms. MIKULSKI, Mr. DURBIN, Mr. LAUTENBERG, and Mr. KERRY) submitted an amendment intended to be proposed by them to the bill, S. 1650, supra; as follows:

On page 60, line 10, before the period, insert the following: "Provided further, That in addition to any other amounts appropriated under this heading an additional \$223,000,000 is appropriated to carry out title II of the Higher Education Act of 1965, and a total of \$300,000,000 shall be available to carry out such title, of which \$300,000,000 shall become available on October 1, 2000".

REID AMENDMENT NO. 1820

Mr. REID proposed an amendment to the bill, S. 1650, supra; as follows:

On page 66, line 16, strike \$350 million and replace with \$475 million.

GRAHAM (AND OTHERS)
AMENDMENT NO. 1821

Mr. GRAHAM (for himself, Mr. WELLSTONE, Mr. ROCKEFELLER, Mr. DODD, Mr. KENNEDY, and Mr. CLELAND) proposed an amendment to the bill, S. 1650, supra; as follows:

At the end of title II, add the following:

SOCIAL SERVICES BLOCK GRANT

SEC. . Notwithstanding any other provision of this title, the amount appropriated

under this title for making grants pursuant to section 2002 of the Social Security Act (42 U.S.C. 1397a) shall be increased to \$2,380,000,000: *Provided*, That (1) \$1,330,000,000 of which shall become available on October 1, 2000, and (2) notwithstanding any other provision of this title, the amount specified for allocation under section 2003(c) of such Act for fiscal year 2000 shall be \$2,380,000,000.

INOUYE AMENDMENT NO. 1822

(Ordered to lie on the table.)
Mr. INOUYE submitted an amendment intended to be proposed by him to the bill, S. 1650, supra; as follows:

At the appropriate place, insert the following:

SEC. . DESIGNATION OF ARLEN SPECTER NATIONAL LIBRARY OF MEDICINE.

(a) IN GENERAL.—The National Library of Medicine building (building 38) at 8600 Rockville Pike, in Bethesda, Maryland, shall be known and designated as the "Arlen Specter National Library of Medicine".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the building referred to in subsection (a) shall be deemed to be a reference to the Arlen Specter National Library of Medicine.

KENNEDY AMENDMENT NO. 1823

(Ordered to lie on the table.)
Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill, S. 1650, supra; as follows:

On page 59, line 25, strike "\$1,404,631,000," and insert "\$1,464,631,000, of which \$60,000,000 shall be available on October 1, 2000, and".

On page 60, line 10, before the period, insert the following: "Provided further, That from amounts appropriated under this heading \$240,000,000 shall be made available to carry out the Gear up program under chapter 2 of subpart 2 of part A of title IV of the Higher Education Act of 1965".

COLLINS (AND OTHERS)
AMENDMENT NO. 1824

(Ordered to lie on the table.)
Ms. COLLINS (for herself, Mr. BREAUX, and Mr. GRASSLEY) submitted an amendment intended to be proposed by them to the bill, S. 1650, supra; as follows:

At the appropriate place in title II, insert the following:

SEC. . EXPRESSING THE SENSE OF THE SENATE TO RAISE THE AWARENESS OF THE DEVASTATING IMPACT OF DIABETES AND TO SUPPORT INCREASED FUNDS FOR DIABETES RESEARCH.

(a) FINDINGS.—Congress makes the following findings:

(1) Diabetes is a devastating, lifelong condition that affects people of every age, race, income level, and nationality.

(2) Sixteen million Americans suffer from diabetes, and millions more are at risk of developing the disease.

(3) The number of Americans with diabetes has increased nearly 700 percent in the last 40 years, leading the Centers for Disease Control and Prevention to call it the "epidemic of our time".

(4) In 1999, approximately 800,000 people will be diagnosed with diabetes, and diabetes will contribute to almost 200,000 deaths,

making diabetes the sixth leading cause of death due to disease in the United States.

(5) Diabetes costs our nation an estimated \$105,000,000,000 each year.

(6) More than 1 out of every 10 United States health care dollars, and about 1 out of every 4 Medicare dollars, is spent on the care of people with diabetes.

(7) More than \$40,000,000,000 a year in tax dollars are spent treating people with diabetes through Medicare, Medicaid, veterans benefits, Federal employee health benefits, and other Federal health programs.

(8) Diabetes frequently goes undiagnosed, and an estimated 5,400,000 Americans have the disease but do not know it.

(9) Diabetes is the leading cause of kidney failure, blindness in adults, and amputations.

(10) Diabetes is a major risk factor for heart disease, stroke, and birth defects, and shortens average life expectancy by up to 15 years.

(11) An estimated 1,000,000 Americans have Type 1 diabetes, formerly known as juvenile diabetes, and 15,200,000 Americans have Type 2 diabetes, formerly known as adult-onset diabetes.

(12) Of Americans aged 65 years or older, 18.4 percent have diabetes.

(13) Of Americans aged 20 years or older, 8.2 percent have diabetes.

(14) Hispanic, African, Asian, and Native Americans suffer from diabetes at rates much higher than the general population, including children as young as 8 years-old, who are now being diagnosed with Type 2 diabetes, formerly known as adult-onset diabetes.

(15) In 1999, there is no method to prevent or cure diabetes, and available treatments have only limited success in controlling diabetes devastating consequences.

(16) Reducing the tremendous health and human burdens of diabetes and its enormous economic toll depend on identifying the factors responsible for the disease and developing new methods for treatment and prevention.

(17) Improvements in technology and the general growth in scientific knowledge have created unprecedented opportunities for advances that might lead to better treatments, prevention, and ultimately a cure.

(18) After extensive review and deliberations, the congressionally established and National Institutes of Health-selected Diabetes Research Working Group has found that "many scientific opportunities are not being pursued due to insufficient funding, lack of appropriate mechanisms, and a shortage of trained researchers".

(19) The Diabetes Research Working Group has developed a comprehensive plan for National Institutes of Health-funded diabetes research, and has recommended a funding level of \$827,000,000 for diabetes research at the National Institutes of Health in fiscal year 2000.

(20) The Senate as an institution, and Members of Congress as individuals, are in unique positions to support the fight against diabetes and to raise awareness about the need for increased funding for research and for early diagnosis and treatment.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the Federal Government has a responsibility to—

(A) endeavor to raise awareness about the importance of the early detection, and proper treatment of, diabetes; and

(B) continue to consider ways to improve access to, and the quality of, health care services for screening and treating diabetes;

(2) the National Institutes of Health, within their existing funding levels, should increase research funding, as recommended by the congressionally established and National Institutes of Health-selected Diabetes Research Working Group, so that the causes of, and improved treatments and cure for, diabetes may be discovered;

(3) all Americans should take an active role to fight diabetes by using all the means available to them, including watching for the symptoms of diabetes, which include frequent urination, unusual thirst, extreme hunger, unusual weight loss, extreme fatigue, and irritability; and

(4) national organizations, community organizations, and health care providers should endeavor to promote awareness of diabetes and its complications, and should encourage early detection of diabetes through regular screenings, education, and by providing information, support, and access to services.

BOND AMENDMENT NO. 1825

(Ordered to lie on the table.)

Mr. BOND submitted an amendment intended to be proposed by him to the bill, S. 1650, supra; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) FINDINGS.—Congress makes the following findings:

(1) The Department of Labor, through the Occupational Safety and Health Administration (referred to in this section as “OSHA”) plans to propose regulations during 1999 to regulate ergonomics in the workplace. A draft of OSHA’s ergonomics regulation became available on February 19, 1999.

(2) A July 1997 report by the National Institute for Occupational Safety and Health that reviewed epidemiological studies that have been conducted of “work related musculoskeletal disorders of the neck, upper extremity, and low back” showed that there is insufficient evidence to assess the level of risk to workers from repetitive motions. Such evidence would be necessary to write an efficient and effective regulation.

(3) An August 1998 workshop on “work related musculoskeletal injuries” held by the National Academy of Sciences reviewed existing research on musculoskeletal disorders. The workshop showed that there is insufficient evidence to assess the level of risk to workers from repetitive motions.

(4) In October 1998, Congress and the President agreed that the National Academy of Sciences should conduct a comprehensive study of the medical and scientific evidence regarding musculoskeletal disorders. The study is intended to evaluate the basic questions about diagnosis and causes of such disorders.

(5) To complete that study, Public Law 105-277 appropriated \$890,000 for the National Academy of Sciences to complete a peer-reviewed scientific study of the available evidence examining a cause and effect relationship between repetitive tasks in the workplace and musculoskeletal disorders or repetitive stress injuries.

(6) The National Academy of Sciences currently estimates that this study will be completed late in 2000 or early in 2001.

(7) Given the uncertainty and dispute about these basic questions, and Congress’ intention that they be addressed in a comprehensive study by the National Academy of Sciences, it is premature for OSHA to propose a regulation on ergonomics as being necessary or appropriate to improve workers’ health and safety until such study is completed.

(b) PROHIBITION.—None of the funds made available in this Act may be used by the Secretary of Labor or the Occupational Safety and Health Administration to promulgate or issue, or to continue the rulemaking process of promulgating or issuing, any standard or regulation regarding ergonomics prior to September 29, 2000.

LEVIN AMENDMENT NO. 1826

(Ordered to lie on the table.)

Mr. LEVIN submitted an amendment intended to be proposed by him to the bill, S. 1650, supra; as follows:

At the appropriate place, insert the following:

SEC. _____. CONSIDERATION OF AN APPLICATION BY A CERTAIN ENTITY FOR MEDICARE CERTIFICATION AS AN APPLICATION BY A NEW PROVIDER.

Notwithstanding any other provision of law, the Secretary of Health and Human Services shall consider an application (or a reapplication) for certification of a long-term care facility under the medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) that is, or was, submitted after January 1, 1994, by a subsidiary of a not-for-profit, municipally-owned, and medicare-certified hospital, where such long-term care facility has had a change of management from the previous owner prior to acquisition by such subsidiary, as an application by a prospective provider.

MURRAY AMENDMENT NO. 1827

(Ordered to lie on the table.)

Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill, S. 1650, supra; as follows:

At the appropriate place, insert the following:

SEC. _____. ACCESS TO OBSTETRICAL AND GYNECOLOGICAL CARE.

(a) ERISA.—

(1) IN GENERAL.—Subpart B of part 7 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1185 et seq.) is amended by adding at the end the following new section:

“SEC. 714. ACCESS TO OBSTETRICAL AND GYNECOLOGICAL CARE.

“(a) IN GENERAL.—If a group health plan, or a health insurance issuer in connection with the provision of health insurance coverage, requires or provides for a participant, beneficiary, or enrollee to designate a participating primary care health care professional, the plan or issuer—

“(1) may not require authorization or a referral by the individual’s primary care health care professional or otherwise for coverage of gynecological care (including preventive women’s health examinations) and pregnancy-related services provided by a participating health care professional, including a physician, who specializes in obstetrics and gynecology to the extent such care is otherwise covered; and

“(2) shall treat the ordering of other obstetrical or gynecological care by such a participating professional as the authorization of the primary care health care professional with respect to such care under the plan or coverage.

“(b) CONSTRUCTION.—Nothing in subsection (a) shall be construed to—

“(1) waive any exclusions of coverage under the terms of the plan or health insurance coverage with respect to coverage of obstetrical or gynecological care; or

“(2) preclude the group health plan or health insurance issuer involved from requiring that the obstetrical or gynecological provider notify the primary care health care professional or the plan or issuer of treatment decisions.”.

(2) CLERICAL AMENDMENT.—The table of contents in section 1 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001 note) is amended by inserting after the item relating to section 713 the following new item:

“Sec. 714. Access to obstetrical and gynecological care.

(b) PUBLIC HEALTH SERVICE ACT.—

(1) GROUP MARKET.—Subpart 2 of part A of title XXVII of the Public Health Service Act (42 U.S.C. 300gg-4 et seq.) is amended by adding at the end the following new section:

“SEC. 2707. ACCESS TO OBSTETRICAL AND GYNECOLOGICAL CARE.

“(a) IN GENERAL.—If a group health plan, or a health insurance issuer in connection with the provision of health insurance coverage, requires or provides for a participant, beneficiary, or enrollee to designate a participating primary care health care professional, the plan or issuer—

“(1) may not require authorization or a referral by the individual’s primary care health care professional or otherwise for coverage of gynecological care (including preventive women’s health examinations) and pregnancy-related services provided by a participating health care professional, including a physician, who specializes in obstetrics and gynecology to the extent such care is otherwise covered; and

“(2) shall treat the ordering of other obstetrical or gynecological care by such a participating professional as the authorization of the primary care health care professional with respect to such care under the plan or coverage.

“(b) CONSTRUCTION.—Nothing in subsection (a) shall be construed to—

“(1) waive any exclusions of coverage under the terms of the plan or health insurance coverage with respect to coverage of obstetrical or gynecological care; or

“(2) preclude the group health plan or health insurance issuer involved from requiring that the obstetrical or gynecological provider notify the primary care health care professional or the plan or issuer of treatment decisions.”.

(2) INDIVIDUAL MARKET.—Part B of title XXVII of the Public Health Service Act (42 U.S.C. 300gg-41 et seq.) is amended—

(1) by redesignating the first subpart 3 (relating to other requirements) as subpart 2; and

(2) by adding at the end of subpart 2 the following new section:

“SEC. 2753. ACCESS TO OBSTETRICAL AND GYNECOLOGICAL CARE.

“The provisions of section 2707 shall apply to health insurance coverage offered by a health insurance issuer in the individual market in the same manner as they apply to health insurance coverage offered by a health insurance issuer in connection with a group health plan in the small or large group market.”.

(c) INTERNAL REVENUE CODE OF 1986.—Subchapter B of chapter 100 of the Internal Revenue Code of 1986 is amended—

(1) in the table of sections, by inserting after the item relating to section 9812 the following new item:

“Sec. 9813. Access to obstetrical and gynecological care.”; and

(2) by inserting after section 9812 the following:

SEC. 9813. ACCESS TO OBSTETRICAL AND GYNECOLOGICAL CARE.

“(a) IN GENERAL.—If a group health plan, or a health insurance issuer in connection with the provision of health insurance coverage, requires or provides for a participant, beneficiary, or enrollee to designate a participating primary care health care professional, the plan or issuer—

“(1) may not require authorization or a referral by the individual’s primary care health care professional or otherwise for coverage of gynecological care (including preventive women’s health examinations) and pregnancy-related services provided by a participating health care professional, including a physician, who specializes in obstetrics and gynecology to the extent such care is otherwise covered; and

“(2) shall treat the ordering of other obstetrical or gynecological care by such a participating professional as the authorization of the primary care health care professional with respect to such care under the plan or coverage.

“(b) CONSTRUCTION.—Nothing in subsection (a) shall be construed to—

“(1) waive any exclusions of coverage under the terms of the plan or health insurance coverage with respect to coverage of obstetrical or gynecological care; or

“(2) preclude the group health plan or health insurance issuer involved from requiring that the obstetrical or gynecological provider notify the primary care health care professional or the plan or issuer of treatment decisions.”

(d) OFFSET.—Notwithstanding any other provision of this Act, amounts made available for salaries, expenses, and program management to agencies funded under this Act shall be ratably reduced in an amount equal to the amount necessary to carry out the amendments made by this section.

**COVERDELL (AND OTHERS)
AMENDMENT NO. 1828**

Mr. COVERDELL (for himself, Mr. ABRAHAM, Mr. GRASSLEY, and Mr. ASHCROFT) proposed an amendment to the bill, supra; as follows:

On page 80, strike lines 1 through 8, and insert the following:

SEC. ____. Notwithstanding any other provision of this Act, no funds appropriated under this Act shall be used to carry out any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

**COVERDELL AMENDMENTS NOS.
1829–1830**

(Ordered to lie on the table.)

Mr. COVERDELL submitted two amendments intended to be proposed by him to the bill, S. 1650, supra; as follows:

AMENDMENT NO. 1829

At the end of title III, insert the following:
SEC. ____. **PROHIBITION REGARDING DAVIS-BACON ACT REQUIREMENTS.**

None of the funds appropriated under this title for construction shall be expended in accordance with the Act of March 3, 1931 (40 U.S.C. 276a et seq.; commonly known as the Davis-Bacon Act), or any other law requiring the payment of wages in accordance with or based on determinations under such Act.

AMENDMENT NO. 1830

At the end, add the following:

SEC. ____. **PROHIBITION.**

None of the funds made available under this Act may be used to enter into a contract with a person or entity that is the subject of a criminal, civil, or administrative proceeding commenced by the Federal Government and alleging fraud.

ABRAHAM AMENDMENT NO. 1831

(Ordered to lie on the table.)

Mr. ABRAHAM submitted an amendment intended to be proposed by him to the bill, S. 1650, supra; as follows:

At the end of the bill add the following:

TITLE XX—SOCIAL SECURITY SURPLUS PRESERVATION AND DEBT REDUCTION ACT

SEC. ____ 01. SHORT TITLE.

This title may be cited as the “Social Security Surplus Preservation and Debt Reduction Act”.

SEC. ____ 02. FINDINGS.

Congress finds that—

(1) the \$69,246,000,000 unified budget surplus achieved in fiscal year 1998 was entirely due to surpluses generated by the social security trust funds and the cumulative unified budget surpluses projected for subsequent fiscal years are primarily due to surpluses generated by the social security trust funds;

(2) Congress and the President should balance the budget excluding the surpluses generated by the social security trust funds;

(3) according to the Congressional Budget Office, balancing the budget excluding the surpluses generated by the social security trust funds will reduce the debt held by the public by a total of \$1,859,500,000,000 by the end of fiscal year 2009; and

(4) social security surpluses should be used for social security reform or to reduce the debt held by the public and should not be spent on other programs.

SEC. ____ 03. PROTECTION OF THE SOCIAL SECURITY TRUST FUNDS.

(a) PROTECTION BY CONGRESS.—

(1) REAFFIRMATION OF SUPPORT.—Congress reaffirms its support for the provisions of section 13301 of the Budget Enforcement Act of 1990 that provides that the receipts and disbursements of the social security trust funds shall not be counted for the purposes of the budget submitted by the President, the congressional budget, or the Balanced Budget and Emergency Deficit Control Act of 1985.

(2) PROTECTION OF SOCIAL SECURITY BENEFITS.—If there are sufficient balances in the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, the Secretary of the Treasury shall give priority to the payment of social security benefits required to be paid by law.

(b) POINTS OF ORDER.—Section 301 of the Congressional Budget Act of 1974 is amended by adding at the end the following:

“(j) SOCIAL SECURITY POINT OF ORDER.—It shall not be in order in the Senate to consider a concurrent resolution on the budget, an amendment thereto, or a conference report thereon that violates section 13301 of the Budget Enforcement Act of 1990.

“(k) DEBT HELD BY THE PUBLIC POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report that would—

“(1) increase the limit on the debt held by the public in section 253A(a) of the Balanced Budget and Emergency Deficit Control Act of 1985; or

“(2) provide additional borrowing authority that would result in the limit on the debt held by the public in section 253A(a) of the Balanced Budget and Emergency Deficit Control Act of 1985 being exceeded.

“(1) SOCIAL SECURITY SURPLUS PROTECTION POINT OF ORDER.—

“(1) IN GENERAL.—It shall not be in order in the Senate to consider a concurrent resolution on the budget, an amendment thereto, or a conference report thereon that sets forth a deficit in any fiscal year.

“(2) EXCEPTION.—Paragraph (1) shall not apply if—

“(A) the limit on the debt held by the public in section 253A(a) of the Balanced Budget and Emergency Deficit Control Act of 1985 is suspended; or

“(B) the deficit for a fiscal year results solely from the enactment of—

“(i) social security reform legislation, as defined in section 253A(e)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985; or

“(ii) provisions of legislation that are designated as an emergency requirement pursuant to section 251(b)(2)(A) or 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985.”

(c) SUPERMAJORITY WAIVER AND APPEAL.—Subsections (c)(1) and (d)(2) of section 904 of the Congressional Budget Act of 1974 are amended by striking “305(b)(2),” and inserting “301(k), 301(l), 305(b)(2),”.

SEC. XX04. DEDICATION OF SOCIAL SECURITY SURPLUSES TO REDUCTION IN THE DEBT HELD BY THE PUBLIC.

(a) AMENDMENTS TO THE CONGRESSIONAL BUDGET ACT OF 1974.—The Congressional Budget Act of 1974 is amended—

(1) in section 3, by adding at the end the following—

“(11)(A) The term ‘debt held by the public’ means the outstanding face amount of all debt obligations issued by the United States Government that are held by outside investors, including individuals, corporations, State or local governments, foreign governments, and the Federal Reserve System.

“(B) For the purpose of this paragraph, the term ‘face amount’, for any month, of any debt obligation issued on a discount basis that is not redeemable before maturity at the option of the holder of the obligation is an amount equal to the sum of—

“(i) the original issue price of the obligation; plus

“(ii) the portion of the discount on the obligation attributable to periods before the beginning of such month.

“(12) The term ‘social security surplus’ means the amount for a fiscal year that receipts exceed outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.”;

(2) in section 301(a) by—

(A) redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectfully; and

(B) inserting after paragraph (5) the following:

“(6) the debt held by the public; and”; and

(3) in section 310(a) by—

(A) striking “or” at the end of paragraph (3);

(B) by redesignating paragraph (4) as paragraph (5); and

(C) inserting the following new paragraph;

“(4) specify the amounts by which the statutory limit on the debt held by the public is to be changed and direct the committee having jurisdiction to recommend such change; or”.

(b) AMENDMENTS TO THE BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF

1985.—The Balanced Budget and Emergency Deficit Control Act of 1985 is amended—

(1) in section 250, by striking subsection (b) and inserting the following:

“(b) GENERAL STATEMENT OF PURPOSE: This part provides for the enforcement of—

“(1) a balanced budget excluding the receipts and disbursements of the social security trust funds; and

“(2) a limit on the debt held by the public to ensure that social security surpluses are used for social security reform or to reduce debt held by the public and are not spent on other programs.”;

(2) in section 250(c)(1), by inserting ‘‘debt held by the public,’ ‘social security surplus’ after ‘outlays’;’’;

(3) by inserting after section 253 the following:

“SEC. 253A. DEBT HELD BY THE PUBLIC LIMIT.

“(a) LIMIT.—The debt held by the public shall not exceed—

“(1) for the period beginning May 1, 2000 through April 30, 2001, \$3,618,000,000,000;

“(2) for the period beginning May 1, 2001 through April 30, 2002, \$3,488,000,000,000;

“(3) for the period beginning May 1, 2002 through April 30, 2004, \$3,349,000,000,000;

“(4) for the period beginning May 1, 2004 through April 30, 2006, \$3,045,000,000,000;

“(5) for the period beginning May 1, 2006 through April 30, 2008, \$2,698,000,000,000;

“(6) for the period beginning May 1, 2008 through April 30, 2010, \$2,301,000,000,000;

“(b) ADJUSTMENTS FOR ACTUAL SOCIAL SECURITY SURPLUS LEVELS.—

“(1) ESTIMATED LEVELS.—The estimated level of social security surpluses for the purposes of this section is—

“(A) for fiscal year 1999, \$125,000,000,000;

“(B) for fiscal year 2000, \$147,000,000,000;

“(C) for fiscal year 2001, \$155,000,000,000;

“(D) for fiscal year 2002, \$163,000,000,000;

“(E) for fiscal year 2003, \$172,000,000,000;

“(F) for fiscal year 2004, \$181,000,000,000;

“(G) for fiscal year 2005, \$195,000,000,000;

“(H) for fiscal year 2006, \$205,000,000,000;

“(I) for fiscal year 2007, \$217,000,000,000;

“(J) for fiscal year 2008, \$228,000,000,000; and

“(K) for fiscal year 2009, \$235,000,000,000.

“(2) ADJUSTMENT TO THE LIMIT FOR ACTUAL SOCIAL SECURITY SURPLUSES.—After October 1 and no later than December 31 of each year, the Secretary shall make the following calculations and adjustments:

“(A) CALCULATION.—After the Secretary determines the actual level for the social security surplus for the current year, the Secretary shall take the estimated level of the social security surplus for that year specified in paragraph (1) and subtract that actual level.

“(B) ADJUSTMENT.—

“(i) 2000 THROUGH 2004.—With respect to the periods described in subsections (a)(1), (a)(2), and (a)(3), the Secretary shall add the amount calculated under subparagraph (A) to—

“(I) the limit set forth in subsection (a) for the period of years that begins on May 1st of the following calendar year; and

“(II) each subsequent limit.

“(ii) 2004 THROUGH 2010.—With respect to the periods described in subsections (a)(4), (a)(5), and (a)(6), the Secretary shall add the amount calculated under subparagraph (A) to—

“(I) the limit set forth in subsection (a) for the period of years that includes May 1st of the following calendar year; and

“(II) each subsequent limit.

“(c) ADJUSTMENT TO THE LIMIT FOR EMERGENCIES.—

“(1) ESTIMATE OF LEGISLATION.—

“(A) CALCULATION.—If legislation is enacted into law that contains a provision that is designated as an emergency requirement pursuant to section 251(b)(2)(A) or 252(e), OMB shall estimate the amount the debt held by the public will change as a result of the provision’s effect on the level of total outlays and receipts excluding the impact on outlays and receipts of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

“(B) BASELINE LEVELS.—OMB shall calculate the changes in subparagraph (A) relative to baseline levels for each fiscal year through fiscal year 2010 using current estimates.

“(C) ESTIMATE.—OMB shall include the estimate required by this paragraph in the report required under section 251(a)(7) or section 252(d), as the case may be.

“(2) ADJUSTMENT.—After January 1 and no later than May 1 of each calendar year beginning with calendar year 2000—

“(A) with respect to the periods described in subsections (a)(1), (a)(2), and (a)(3), the Secretary shall add the amounts calculated under paragraph (1)(A) for the current year included in the report referenced in paragraph (1)(C) to—

“(i) the limit set forth in subsection (a) for the period of years that begins on May 1 of that calendar year; and

“(ii) each subsequent limit; and

“(B) with respect to the periods described in subsections (a)(4), (a)(5), and (a)(6), the Secretary shall add the amounts calculated under paragraph (1)(A) for the current year included in the report referenced in paragraph (1)(C) to—

“(i) the limit set forth in subsection (a) for the period of years that includes May 1 of that calendar year; and

“(ii) each subsequent limit.

“(3) EXCEPTION.—The Secretary shall not make the adjustments pursuant to this section if the adjustments for the current year are less than the on-budget surplus for the year before the current year.

“(d) ADJUSTMENT TO THE LIMIT FOR LOW ECONOMIC GROWTH AND WAR.—

“(1) SUSPENSION OF STATUTORY LIMIT ON DEBT HELD BY THE PUBLIC.—

“(A) LOW ECONOMIC GROWTH.—If the most recent of the Department of Commerce’s advance, preliminary, or final reports of actual real economic growth indicate that the rate of real economic growth (as measured by real GDP) for each of the most recently reported quarter and the immediately preceding quarter is less than 1 percent, the limit on the debt held by the public established in this section is suspended.

“(B) WAR.—If a declaration of war is in effect, the limit on the debt held by the public established in this section is suspended.

“(2) RESTORATION OF STATUTORY LIMIT ON DEBT HELD BY THE PUBLIC.—

“(A) RESTORATION OF LIMIT.—The statutory limit on debt held by the public shall be restored on May 1 following the quarter in which the level of real Gross Domestic Product in the final report from the Department of Commerce is equal to or is higher than the level of real Gross Domestic Product in the quarter preceding the first two quarters that caused the suspension of the pursuant to paragraph (1).

“(B) ADJUSTMENT.—

“(i) CALCULATION.—The Secretary shall take level of the debt held by the public on October 1 of the year preceding the date referenced in subparagraph (A) and subtract the limit in subsection (a) for the period of years that includes the date referenced in subparagraph (A).

“(ii) ADJUSTMENT: The Secretary shall add the amount calculated under clause (i) to—

“(I) the limit in subsection (a) for the period of fiscal years that includes the date referenced in subparagraph (A); and

“(II) each subsequent limit.

“(e) ADJUSTMENT TO THE LIMIT FOR SOCIAL SECURITY REFORM PROVISIONS THAT AFFECT ON-BUDGET LEVELS.—

“(1) ESTIMATE OF LEGISLATION.—

“(A) CALCULATION.—If social security reform legislation is enacted, OMB shall estimate the amount the debt held by the public will change as a result of the legislation’s effect on the level of total outlays and receipts excluded the impact on outlays and receipts of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

“(B) BASELINE LEVELS.—OMB shall calculate the changes in subparagraph (A) relative to baseline levels for each fiscal year through fiscal year 2010 using current estimates.

“(C) ESTIMATE.—OMB shall include the estimate required by this paragraph in the report required under section 252(d) for social security reform legislation.

“(2) ADJUSTMENT TO LIMIT ON THE DEBT HELD BY THE PUBLIC.—If social security reform legislation is enacted, the Secretary shall adjust the limit on the debt held by the public for each period of fiscal years by the amounts determined under paragraph (1)(A) for the relevant fiscal years included in the report referenced in paragraph (1)(C).

“(f) DEFINITIONS.—In this section:

“(1) SECRETARY.—The term ‘Secretary’ means the Secretary of the Treasury.

“(2) SOCIAL SECURITY REFORM LEGISLATION.—The term ‘social security reform legislation’ means legislation that—

“(A) implements structural social security reform and significantly extends the solvency of the Social Security Trust Fund; and

“(B) includes a provision stating the following: ‘For purposes of the Social Security Surplus Preservation and Debt Reduction Act of 1999, this Act constitutes social security reform legislation’.

This paragraph shall apply only to the first bill or joint resolution enacted into law as described in this paragraph.”.

SEC. 05. PRESIDENT’S BUDGET.

Section 1105(f) of title 31, United States Code, is amended by striking “in a manner consistent” and inserting “in compliance”.

SEC. 06. SENSE OF THE SENATE ON MEDICARE RESERVE FUND.

(A) FINDINGS: The Senate finds that—

(1) the Congressional budget plan has \$505,000,000,000 over ten years in unallocated budget surpluses that could be used for long-term medicare reform, other priorities, or debt reduction;

(2) the Congressional budget resolution for fiscal year 2000 already has set aside \$90,000,000,000 over ten years through a reserve fund for long-term medicare reform including prescription drug coverage;

(3) the President estimates that his medicare proposal will cost \$46,000,000,000 over 10 years; and

(4) thus the Congressional budget resolution provides more than adequate resources for medicare reform, including prescription drugs.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Congressional budget resolution for fiscal year 2000 provides a sound framework for allocating resources to medicare to modernize medicare benefits, improve the solvency of the program, and improve coverage of prescription drugs.

SEC. 07. SUNSET.

This title and the amendments made by this title shall expire on April 30, 2010.

MURRAY AMENDMENT NO. 1832

(Ordered to lie on the table.)

Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill, S. 1650, supra; as follows:

At the appropriate place, insert the following:

SEC. 00. ACCESS TO OBSTETRICAL AND GYNECOLOGICAL CARE.

(a) ERISA.—

(1) IN GENERAL.—Subpart B of part 7 of sub-title B of title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1185 et seq.) is amended by adding at the end the following new section:

“SEC. 714. ACCESS TO OBSTETRICAL AND GYNECOLOGICAL CARE.

“(a) IN GENERAL.—If a group health plan, or a health insurance issuer in connection with the provision of health insurance coverage, requires or provides for a participant, beneficiary, or enrollee to designate a participating primary care health care professional, the plan or issuer—

“(1) may not require authorization or a referral by the individual’s primary care health care professional or otherwise for coverage of gynecological care (including preventive women’s health examinations) and pregnancy-related services provided by a participating health care professional, including a physician, who specializes in obstetrics and gynecology to the extent such care is otherwise covered; and

“(2) shall treat the ordering of other obstetrical or gynecological care by such a participating professional as the authorization of the primary care health care professional with respect to such care under the plan or coverage.

“(b) CONSTRUCTION.—Nothing in subsection (a) shall be construed to—

“(1) waive any exclusions of coverage under the terms of the plan or health insurance coverage with respect to coverage of obstetrical or gynecological care; or

“(2) preclude the group health plan or health insurance issuer involved from requiring that the obstetrical or gynecological provider notify the primary care health care professional or the plan or issuer of treatment decisions.”.

(2) CLERICAL AMENDMENT.—The table of contents in section 1 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001 note) is amended by inserting after the item relating to section 713 the following new item:

“Sec. 714. Access to obstetrical and gynecological care.

(b) PUBLIC HEALTH SERVICE ACT.—

(1) GROUP MARKET.—Subpart 2 of part A of title XXVII of the Public Health Service Act (42 U.S.C. 300gg-4 et seq.) is amended by adding at the end the following new section:

“SEC. 2707. ACCESS TO OBSTETRICAL AND GYNECOLOGICAL CARE.

“(a) IN GENERAL.—If a group health plan, or a health insurance issuer in connection with the provision of health insurance coverage, requires or provides for a participant, beneficiary, or enrollee to designate a participating primary care health care professional, the plan or issuer—

“(1) may not require authorization or a referral by the individual’s primary care health care professional or otherwise for coverage of gynecological care (including pre-

ventive women’s health examinations) and pregnancy-related services provided by a participating health care professional, including a physician, who specializes in obstetrics and gynecology to the extent such care is otherwise covered; and

“(2) shall treat the ordering of other obstetrical or gynecological care by such a participating professional as the authorization of the primary care health care professional with respect to such care under the plan or coverage.

“(b) CONSTRUCTION.—Nothing in subsection (a) shall be construed to—

“(1) waive any exclusions of coverage under the terms of the plan or health insurance coverage with respect to coverage of obstetrical or gynecological care; or

“(2) preclude the group health plan or health insurance issuer involved from requiring that the obstetrical or gynecological provider notify the primary care health care professional or the plan or issuer of treatment decisions.”.

(2) INDIVIDUAL MARKET.—Part B of title XXVII of the Public Health Service Act (42 U.S.C. 300gg-41 et seq.) is amended—

(1) by redesignating the first subpart 3 (relating to other requirements) as subpart 2; and

(2) by adding at the end of subpart 2 the following new section:

“SEC. 2753. ACCESS TO OBSTETRICAL AND GYNECOLOGICAL CARE.

“The provisions of section 2707 shall apply to health insurance coverage offered by a health insurance issuer in the individual market in the same manner as they apply to health insurance coverage offered by a health insurance issuer in connection with a group health plan in the small or large group market.”.

(c) INTERNAL REVENUE CODE OF 1986.—Subchapter B of chapter 100 of the Internal Revenue Code of 1986 is amended—

(1) in the table of sections, by inserting after the item relating to section 9812 the following new item:

“Sec. 9813. Access to obstetrical and gynecological care.”; and

(2) by inserting after section 9812 the following:

“SEC. 9813. ACCESS TO OBSTETRICAL AND GYNECOLOGICAL CARE.

“(a) IN GENERAL.—If a group health plan, or a health insurance issuer in connection with the provision of health insurance coverage, requires or provides for a participant, beneficiary, or enrollee to designate a participating primary care health care professional, the plan or issuer—

“(1) may not require authorization or a referral by the individual’s primary care health care professional or otherwise for coverage of gynecological care (including preventive women’s health examinations) and pregnancy-related services provided by a participating health care professional, including a physician, who specializes in obstetrics and gynecology to the extent such care is otherwise covered; and

“(2) shall treat the ordering of other obstetrical or gynecological care by such a participating professional as the authorization of the primary care health care professional with respect to such care under the plan or coverage.

“(b) CONSTRUCTION.—Nothing in subsection (a) shall be construed to—

“(1) waive any exclusions of coverage under the terms of the plan or health insurance coverage with respect to coverage of obstetrical or gynecological care; or

“(2) preclude the group health plan or health insurance issuer involved from requir-

ing that the obstetrical or gynecological provider notify the primary care health care professional or the plan or issuer of treatment decisions.”.

(d) OFFSET.—Notwithstanding any other provision of this Act, amounts made available for salaries, expenses, and program management to agencies funded under this Act shall be ratably reduced in an amount equal to the amount necessary to carry out the amendments made by this section.

BROWNBACK AMENDMENT NO. 1833

Mr. BROWNBACK proposed an amendment to the bill, S. 1650, supra; as follows:

At the end of the bill insert the following:

TITLE —TASK FORCE ON THE STATE OF AMERICAN SOCIETY**SEC 01. ESTABLISHMENT OF THE TASK FORCE.**

(a) ESTABLISHMENT.—There is established a task force of the Senate to be known as the Task Force on the State of American Society (hereafter in this title referred to as the “task force”).

(b) PURPOSE.—The purpose of the task force is—

(1) to study the societal condition of America, particularly in regard to children, youth, and families;

(2) to make such findings as are warranted and appropriate, including the impact that trends and developments have on the broader society, particularly in regards to child well-being; and

(3) to study the causes and consequences of youth violence.

(c) TASK FORCE PROCEDURE.—

(1) IN GENERAL.—Paragraphs 1, 2, 7(a) (2), and 10(a) of rule XXVI of the Standing Rules of the Senate, and section 202 (i) of the Legislative Reorganization Act of 1946, shall apply to the task force, except for the provisions relating to the taking of depositions and the subpoena power.

(2) EQUAL FUNDING.—The majority and the minority staff of the task force shall receive equal funding.

(3) QUORUMS.—The task force is authorized to fix the number of its members (but not less than one-third of its entire membership) who shall constitute a quorum for the transaction of such business as may be considered by the task force. A majority of the task force will be required to issue a report to the relevant committees, with a minority of the task force afforded an opportunity to record its views in the report.

SEC. 02. MEMBERSHIP AND ORGANIZATION OF THE TASK FORCE.

(a) MEMBERSHIP.—

(1) IN GENERAL.—The task force shall consist of 8 members of the Senate—

(A) 4 of whom shall be appointed by the President pro tempore of the Senate from the majority party of the Senate upon the recommendation of the Majority Leader of the Senate; and

(B) 4 of whom shall be appointed by the President pro tempore of the Senate from the minority party of the Senate upon the recommendation of the Minority Leader of the Senate.

(2) VACANCIES.—Vacancies in the membership of the task force shall not affect the authority of the remaining members to execute the functions of the task force and shall be filled in the same manner as original appointments to it are made.

(b) CHAIRMAN.—The chairman of the task force shall be selected by the Majority Leader of the Senate and the vice chairman of the

task force shall be selected by the Minority Leader of the Senate. The vice chairman shall discharge such responsibilities as the task force or the chairman may assign.

SEC. 03. AUTHORITY OF TASK FORCE.

(a) IN GENERAL.—For the purposes of this title, the task force is authorized, in its discretion—

- (1) to make expenditures from the contingent fund of the Senate;
- (2) to employ personnel;
- (3) to hold hearings;
- (4) to sit and act at any time or place during the sessions, recesses, and adjourned periods of the Senate;
- (5) to procure the services of individual consultations or organizations thereof, in accordance with the provisions of section 202(i) of the Legislative Reorganization Act of 1946; and

(6) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a nonreimbursable basis the services of personnel of any such department or agency.

(b) OTHER COMMITTEE STAFF.—At the joint request of the chairman and vice-chairman of the task force, the chairman and the ranking member of any other Senate committee or subcommittee may jointly permit the task force to use, on a nonreimbursable basis, the facilities or services of any members of the staff of such other Senate committee or subcommittee whenever the task force or its chairman, following consultation with the vice chairman, considers that such action is necessary or appropriate to enable the task force to make the investigation and study provided for in this title.

SEC. 04. REPORT AND TERMINATION.

The task force shall report its findings, together with such recommendations as it deems advisable, to the relevant committees and the Senate prior to July 7, 2000.

SEC. 05. FUNDING.

(a) IN GENERAL.—From the date this title is agreed to through July 7, 2000, the expenses of the task force incurred under this title—

(1) shall be paid out of the miscellaneous items account of the contingent fund of the Senate;

(2) shall not exceed \$500,000, of which amount not to exceed \$150,000 shall be available for the procurement of the services of individual consultants, or organizations thereof, as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i)); and

(3) shall include sums in addition to expenses described under paragraph (2), as may be necessary for agency contributions related to compensation of employees of the task force.

(b) PAYMENT OF EXPENSES.—Payment of expenses of the task force shall be disbursed upon vouchers approved by the chairman, except that vouchers shall not be required for disbursements of salaries (and related agency contributions) paid at an annual rate.

HUTCHINSON AMENDMENT NO. 1834

Mr. HUTCHINSON proposed an amendment to amendment No. 1812 proposed by him to the bill, S. 1650, supra; as follows:

Strike all after the first word and insert the following:

“OF FUNDS FOR THE CONSOLIDATED HEALTH CENTERS

SEC. ____ . Notwithstanding any other provision of this Act, \$25,471,000 of the amounts

appropriated for the National Labor Relations Board under this Act shall be transferred and utilized to carry out projects for the consolidated health centers under section 330 of the Public Health Service Act (42 U.S.C. 254b).

HUTCHISON AMENDMENT NO. 1835

(Ordered to lie on the table.)

Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill, S. 1650, supra; as follows:

At the end, add the following:

SEC. ____ . SINGLE SEX EDUCATION.

Subsection (b) of section 6301 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7351) is amended—

(1) in paragraph (8), by striking “and” after the semicolon;

(2) in paragraph (9), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(10) education reform projects that provide same gender schools and classrooms, as long as comparable educational opportunities are offered for students of both sexes.”.

BOND (AND OTHERS) AMENDMENT NO. 1836

(Ordered to lie on the table.)

Mr. BOND (for himself, Mr. HARKIN, Mr. ASHCROFT, Mr. GRASSLEY, Mr. CHAFEE, Mr. BIDEN, Mr. WELLSTONE, and Mr. SMITH of Oregon) submitted an amendment intended to be proposed by them to the bill, S. 1650, supra; as follows:

At the end of title II, add the following:

WITHHOLDING OF SUBSTANCE ABUSE FUNDS

SEC. ____ . (a) IN GENERAL.—None of the funds appropriated by this Act may be used to withhold substance abuse funding from a State pursuant to section 1926 of the Public Health Service Act (42 U.S.C. 300x-26) if such State certifies to the Secretary of Health and Human Services that the State will commit additional State funds, in accordance with subsection (b), to ensure compliance with State laws prohibiting the sale of tobacco products to individuals under 18 years of age.

(b) AMOUNT OF STATE FUNDS.—The amount of funds to be committed by a State under subsection (a) shall be equal to one percent of such State's substance abuse block grant allocation for each percentage point by which the State misses the retailer compliance rate goal established by the Secretary of Health and Human Services under section 1926 of such Act, except that the Secretary may agree to a smaller commitment of additional funds by the State.

(c) SUPPLEMENT NOT SUPPLANT.—Amounts expended by a State pursuant to a certification under subsection (a) shall be used to supplement and not supplant State funds used for tobacco prevention programs and for compliance activities described in such subsection in the fiscal year preceding the fiscal year to which this section applies.

(d) The Secretary shall exercise discretion in enforcing the timing of the State expenditure required by the certification described in subsection (A) as late as July 31, 2000.

COVERDELL AMENDMENT NO. 1837

Mr. COVERDELL submitted an amendment intended to be proposed by

him to the bill, S. 1650, supra; as follows:

On page 54, line 19, strike “\$1,151,550,000” and insert “\$1,126,550,000”.

On page 55, line 8, strike “\$65,000,000” and insert “\$90,000,000”.

At the end, insert the following:

SEC. ____ . FUNDING.

Notwithstanding any other provision of law—

(1) the total amount made available under this Act to carry out part A of title X of the Elementary and Secondary Education Act of 1965 shall be \$39,500,000;

(2) the total amount made available under this Act to carry out part C of title X of the Elementary and Secondary Education Act of 1965 shall be \$150,000,000; and

(3) the total amount made available under this Act to carry out subpart 1 of part A of title IV of the Elementary and Secondary Education Act of 1965 shall be \$451,000,000, of which \$111,275,000 shall be available on July 1, 2000.

WELLSTONE AMENDMENTS NOS. 1838-1842

(Ordered to lie on the table.)

Mr. WELLSTONE submitted five amendments intended to be proposed by him to the bill, S. 1650, supra; as follows:

AMENDMENT No. 1838

At the appropriate place, insert the following:

SEC. ____ . EVALUATION OF OUTCOME OF WELFARE REFORM AND FORMULA FOR BONUSES TO HIGH PERFORMANCE STATES.

(a) ADDITIONAL MEASURES OF STATE PERFORMANCE.—Section 403(a)(4)(C) of the Social Security Act (42 U.S.C. 603(a)(4)(C)) is amended—

(1) by striking “Not later” and inserting the following:

“(i) IN GENERAL.—Not later”;

(2) by inserting “The formula shall provide for the awarding of grants under this paragraph based on criteria contained in clause (ii) and in accordance with clauses (iii) and (iv).” after the period; and

(3) by adding at the end the following:

“(ii) FORMULA CRITERIA.—The grants awarded under this paragraph shall be based on the following:

“(I) EMPLOYMENT-RELATED MEASURES.—Employment-related measures, including work force entries, job retention, increases in earnings of recipients of assistance under the State program funded under this title, and measures of utilization of resources available under welfare-to-work grants under paragraph (5) and title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.), including the implementation of programs (as defined in subclause (VII)(bb)) to increase the number of individuals training for, and placed in, nontraditional employment.

“(II) MEASURES OF CHANGES IN INCOME OR NUMBER OF CHILDREN BELOW HALF OF POVERTY.—For a sample of recipients of assistance under the State program funded under this title, longitudinal measures of annual changes in income (or measures of changes in the proportion of children in families with income below ½ of the poverty line), including earnings and the value of benefits received under that State program and food stamps.

“(III) FOOD STAMPS MEASURES.—The change since 1995 in the proportion of children in working poor families that receive food

stamps to the total number of children in the State (or, if possible, to the estimated number of children in working families with incomes low enough to be eligible for food stamps).

“(IV) MEDICAID AND SCHIP MEASURES.—The percentage of members of families who are former recipients of assistance under the State program funded under this title (who have ceased to receive such assistance for approximately 6 months) who currently receive medical assistance under the State plan approved under title XIX or the child health assistance under title XXI.

“(V) CHILD CARE MEASURES.—In the case of a State that pays child care rates that are equal to at least the 75th percentile of market rates, based on a market rate survey that is not more than 2 years old, measures of the State’s success in providing child care, as measured by the percentage of children in families with incomes below 85 percent of the State’s median income who receive subsidized child care in the State, and by the amount of the State’s expenditures on child care subsidies divided by the estimated number of children younger than 13 in families with incomes below 85 percent of the State’s median income.

“(VI) MEASURES OF ADDRESSING DOMESTIC VIOLENCE.—In the case of a State that has adopted the option under the State plan relating to domestic violence set forth in section 402(a)(7) and that reports the proportion of eligible recipients of assistance under this title who disclose their status as domestic violence victims or survivors, measures of the State’s success in addressing domestic violence as a barrier to economic self-sufficiency, as measured by the proportion of such recipients who are referred to and receive services under a service plan developed by an individual trained in domestic violence pursuant to section 260.55(c) of title 45 of the Code of Federal Regulations.

“(VII) DEFINITIONS.—In this clause:

“(aa) DOMESTIC VIOLENCE.—The term ‘domestic violence’ has the meaning given the term ‘battered or subjected to extreme cruelty’ in section 408(a)(7)(C)(iii).

“(bb) IMPLEMENTATION OF PROGRAMS.—The term ‘implementation of programs’ means activities conducted pursuant to section 134(a)(3)(A)(vi)(II) of the Workforce Investment Act of 1998 (29 U.S.C. 2864(a)(3)(A)(vi)(II)), placement of recipients in nontraditional employment, as reported to the Department of Labor pursuant to section 185(d)(1)(C) of such Act (29 U.S.C. 2935(d)(1)(C)), and the performance of the State on other measures such as the provision of education, training, and career development assistance for nontraditional employment developed pursuant to section 136(b)(2) of such Act (29 U.S.C. 2871(b)(2)).

“(cc) NONTRADITIONAL EMPLOYMENT.—The term ‘nontraditional employment’ means occupations or fields of work, including careers in computer science, technology, and other emerging high skill occupations, for which individuals from 1 gender comprise less than 25 percent of the individuals employed in each such occupation or field of work.

“(dd) WORKING POOR FAMILIES.—The term ‘working poor families’ means families that receive earnings at least equal to a comparable amount that would be received by an individual working a half-time position for minimum wage.

“(iii) EMPLOYMENT, EARNING, AND INCOME RELATED MEASURES.—\$100,000,000 of the amount appropriated for a fiscal year under subparagraph (F) shall be used to award grants to States under this paragraph for

that fiscal year based on the measures of employment, earnings, and income described in subclauses (I), (II), and (V) of clause (ii), including scores for the criteria described in those items.

“(iv) MEASURES OF SUPPORT FOR WORKING FAMILIES.—\$100,000,000 of the amount appropriated for a fiscal year under subparagraph (F) shall be used to award grants to States under this paragraph for that fiscal year based on measures of support for working families, including scores for the criteria described in subclauses (III), (IV) and (VI) of clause (ii).

“(v) LIMITATION ON APPLYING FOR ONLY 1 BONUS.—To qualify under any one of the employment, earnings, food stamp, or health coverage criteria described in subclauses (I), (III), or (IV) of clause (ii), a State must submit the data required to compete for all of the criteria described in those subclauses.

(b) DATA COLLECTION AND REPORTING.—Section 411(a) of the Social Security Act (42 U.S.C. 611(a)) is amended by adding at the end the following:

“(8) REPORT ON OUTCOME OF WELFARE REFORM FOR STATES NOT PARTICIPATING IN BONUS GRANTS UNDER SECTION 403(a)(4).—

“(A) IN GENERAL.—In the case of a State which does not participate in the procedure for awarding grants under section 403(a)(4) pursuant to regulations prescribed by the Secretary, the report required by paragraph (1) for a fiscal quarter shall include data regarding the characteristics and well-being of former recipients of assistance under the State program funded under this title for an appropriate period of time after such recipient has ceased receiving such assistance.

“(B) CONTENTS.—The data required under subparagraph (A) shall consist of information regarding former recipients, including—

“(i) employment status;

“(ii) job retention;

“(iii) changes in income or resources;

“(iv) poverty status, including the number of children in families of such former recipients with income below ½ of the poverty line;

“(v) receipt of food stamps, medical assistance under the State plan approved under title XIX or child health assistance under title XXI, or subsidized child care;

“(vi) accessibility of child care and child care cost;

“(vii) the percentage of families in poverty receiving child care subsidies;

“(viii) measures of hardship, including lack of medical insurance and difficulty purchasing food; and

“(ix) the availability of the option under the State plan in section 402(a)(7) (relating to domestic violence) and the difficulty accessing services for victims of domestic violence.

“(C) SAMPLING.—A State may comply with this paragraph by using a scientifically acceptable sampling method approved by the Secretary.

“(D) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary to ensure that—

“(i) data reported under this paragraph is in such a form as to promote comparison of data among States;

“(ii) a State reports, for each measure, changes in data over time and comparisons in data between such former recipients and comparable groups of current recipients; and

“(iii) a State that is already conducting a scientifically acceptable study of former recipients that provides sufficient data required under subparagraph (A) may use the results of such study to satisfy the requirements of this paragraph.”.

(c) REPORT OF CURRENTLY COLLECTED DATA.—

(1) IN GENERAL.—Not later than July 1, 2000, and annually thereafter, the Secretary of Health and Human Services shall transmit to Congress a report regarding characteristics of former and current recipients of assistance under the State program funded under this part, based on information currently being received from States.

(2) CHARACTERISTICS.—For purposes of paragraph (1), the characteristics shall include earnings, employment, and, to the extent possible, income (including earnings, the value of benefits received under the State program funded under this title, and food stamps), the ratio of income to poverty, receipt of food stamps, and other family resources.

(3) BASIS OF REPORT.—The report under paragraph (1) shall be based on longitudinal data of employer reported earnings for a sample of States, which represents at least 80 percent of the population of the United States, including separate data for each of fiscal years 1997 through 2000 regarding—

(A) a sample of former recipients;

(B) a sample of current recipients; and

(C) a sample of food stamp recipients.

(d) REPORT ON DEVELOPMENT OF MEASURES.—Not later than July 1, 2000, the Secretary of Health and Human Services shall transmit to Congress—

(1) a report regarding the development of measures required under subclauses (II) and (V) of section 403(a)(4)(C)(ii) of the Social Security Act (42 U.S.C. 603(a)(4)(C)(ii)), as added by this Act, regarding subsidized child care and changes in income; and

(2) a report, prepared in consultation with domestic violence organizations, regarding the domestic violence criteria required under subclause (VI) of such section.

(e) EFFECTIVE DATES.—

(1) ADDITIONAL MEASURES OF STATE PERFORMANCE.—The amendments made by subsection (a) apply to each of fiscal years 2001 through 2003, except that the income change (or extreme child poverty) criteria described in section 403(a)(4)(C)(ii)(II) of the Social Security Act (42 U.S.C. 603(a)(4)(C)(ii)(II)) shall not apply to grants awarded under section 403(a)(4) of that Act (42 U.S.C. 603(a)(4)) for fiscal year 2001.

(2) DATA COLLECTION AND REPORTING.—The amendment made by subsection (b) shall apply to reports submitted in fiscal years beginning with fiscal year 2001.

AMENDMENT No. 1839

In the matter under the heading “CHILDREN AND FAMILIES SERVICES PROGRAMS” under the heading “ADMINISTRATION FOR CHILDREN AND FAMILIES” in title II, strike “\$6,682,635,000, of which \$20,000,000, to remain available until September 30, 2001, shall be for grants to States for adoption incentive payments, as authorized by section 473A of the Social Security Act; of which \$500,000,000 shall be for making payments under the Community Services Block Grant Act; and of which \$5,267,000,000 shall be for making payments under the Head Start Act,” and insert “\$9,682,635,000, of which \$20,000,000, to remain available until September 30, 2001, shall be for grants to States for adoption incentive payments, as authorized by section 473A of the Social Security Act; of which \$500,000,000 shall be for making payments under the Community Services Block Grant Act; and of which \$8,267,000,000 shall be for making payments under the Head Start Act.”.

AMENDMENT No. 1840

At the end of title III, insert the following:

SEC. . ADDITIONAL FUNDING.

In addition to any other funds appropriated under this Act to carry out title I of the Elementary and Secondary Education Act of 1965, there are appropriated an additional \$3,000,000,000 to carry out such title.

AMENDMENT NO. 1841

At the end of title II, add the following:

SOCIAL SERVICES BLOCK GRANT

SEC. . Notwithstanding any other provision of this title, the amount appropriated under this title for making grants pursuant to section 2002 of the Social Security Act (42 U.S.C. 1397a) shall be increased to \$2,380,000,000: *Provided*, That notwithstanding any other provision of this title, the amount specified for allocation under section 2003(c) of such Act for fiscal year 2000 shall be \$2,380,000,000.

AMENDMENT NO. 1842

At the appropriate place add the following:

SEC. . It is the sense of the Senate that it is important that Congress determine the economic status of former recipients of assistance under the temporary assistance to needy families program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.).

SMITH AMENDMENTS NOS. 1843-1844

(Ordered to lie on the table.)

Mr. SMITH of New Hampshire submitted two amendments intended to be proposed by him to the bill, S. 1650, supra; as follows:

AMENDMENT NO. 1843

At the appropriate place, insert the following:

DISABLED VETERANS' OUTREACH PROGRAMS

SEC. . Notwithstanding any other provision of this Act, \$10,000,000 of the amounts appropriated in this Act for the Corporation for Public Broadcasting shall be transferred and utilized to carry out disabled veterans' outreach programs under section 4103A of title 38, United States Code.

AMENDMENT NO. 1844

At the appropriate place, insert the following:

SEC. . No funds appropriated under this Act may be used to enforce the provisions of the Act of March 3, 1931 (commonly known as the Davis-Bacon Act (40 U.S.C. 276a et seq.)) in any area that has been declared a disaster area by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

HARKIN (AND ROBB) AMENDMENT NO. 1845

(Ordered to lie on the table.)

Mr. HARKIN (for himself and Mr. ROBB) submitted an amendment intended to be proposed by them to the bill, S. 1650, supra; as follows:

At the end of title III, add the following:

SEC. . SENSE OF THE SENATE REGARDING SCHOOL INFRASTRUCTURE.

(a) FINDINGS.—The Senate makes the following findings:

(1) The General Accounting Office has performed a comprehensive survey of the Nation's public elementary and secondary school facilities and has found severe levels of disrepair in all areas of the United States.

(2) The General Accounting Office has found that more than 14,000,000 children attend schools in need of extensive repair or replacement, 7,000,000 children attend schools with life threatening safety code violations, and 12,000,000 children attend schools with leaky roofs.

(3) The General Accounting Office has found the problem of crumbling schools transcends demographic and geographic boundaries. At 38 percent of urban schools, 30 percent of rural schools, and 29 percent of suburban schools, at least one building is in need of extensive repair or should be completely replaced.

(4) The condition of school facilities has a direct affect on the safety of students and teachers and on the ability of students to learn. Academic research has provided a direct correlation between the condition of school facilities and student achievement. At Georgetown University, researchers have found the test scores of students assigned to schools in poor condition can be expected to fall 10.9 percentage points below the test scores of students in buildings in excellent condition. Similar studies have demonstrated up to a 20 percent improvement in test scores when students were moved from a poor facility to a new facility.

(5) The General Accounting Office has found most schools are not prepared to incorporate modern technology in the classroom. Forty-six percent of schools lack adequate electrical wiring to support the full-scale use of technology. More than a third of schools lack the requisite electrical power. Fifty-six percent of schools have insufficient phone lines for modems.

(6) The Department of Education has reported that elementary and secondary school enrollment, already at a record high level, will continue to grow over the next 10 years, and that in order to accommodate this growth, the United States will need to build an additional 6,000 schools.

(7) The General Accounting Office has determined the cost of bringing schools up to good, overall condition to be \$112,000,000,000, not including the cost of modernizing schools to accommodate technology, or the cost of building additional facilities needed to meet record enrollment levels.

(8) Schools run by the Bureau of Indian Affairs (BIA) for Native American children are also in dire need of repair and renovation. The General Accounting Office has reported that the cost of total inventory repairs needed for BIA facilities is \$754,000,000. The December 1997 report by the Comptroller General of the United States states that, "Compared with other schools nationally, BIA schools are generally in poorer physical condition, have more unsatisfactory environmental factors, more often lack key facilities requirements for education reform, and are less able to support computer and communications technology.

(9) State and local financing mechanisms have proven inadequate to meet the challenges facing today's aging school facilities. Large numbers of local educational agencies have difficulties securing financing for school facility improvement.

(10) The Federal Government has provided resources for school construction in the past. For example, between 1933 and 1939, the Federal Government assisted in 70 percent of all new school construction.

(11) The Federal Government can support elementary and secondary school facilities without interfering in issues of local control, and should help communities leverage additional funds for the improvement of elementary and secondary school facilities.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that Congress should provide at least \$3,700,000,000 in Federal resources to help communities leverage funds to modernize public school facilities.

ENZI AMENDMENT NO. 1846

Mr. ENZI proposed an amendment to the bill, S. 1650, supra; as follows:

On page 13, line 14, insert after "1970;" the following: "*Provided*, That of the amount appropriated under this heading that is in excess of the amount appropriated for such purposes for fiscal year 1999, \$16,883,500 shall be used to carry out the activities described in paragraph (1) and \$16,883,500 shall be used to carry out paragraphs (2) through (6);".

DEWINE AMENDMENT NO. 1847

(Ordered to lie on the table.)

Mr. DEWINE submitted an amendment intended to be proposed by him to the bill, S. 1650, supra; as follows:

At the end, insert the following:

SEC. . FUNDING.

Notwithstanding any other provision of law—

(1) the total amount made available under this Act to carry out part C of title VIII of the Higher Education Amendments of 1998 shall be \$2,000,000;

(2) the total amount made available under this Act to carry out section 428K of the Higher Education Act of 1965 shall be \$2,000,000;

(3) the total amount made available under the heading "SALARIES AND EXPENSES", under the heading "OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION", under title I, for salaries and expenses for the Occupational Safety and Health Administration shall be \$96,755,000; and

(4) the total amount made available under the heading "SALARIES AND EXPENSES", under the heading "DEPARTMENTAL MANAGEMENT", under title I, for salaries and expenses at the Department of Labor shall be \$245,001,000.

GREGG AMENDMENTS NOS. 1848-1849

(Ordered to lie on the table.)

Mr. GREGG submitted two amendments intended to be proposed by him to the bill, S. 1650, supra; as follows:

AMENDMENT NO. 1848

In the matter under the heading "COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS", in the matter under the heading "EMPLOYMENT AND TRAINING ADMINISTRATION", in title I, insert before the period at the end of the first sentence the following: "*Provided*, That funds appropriated for activities carried out under title V of such Act if allocated to private nonprofit organizations, shall only be allocated to such private nonprofit organizations (for use by such organizations, affiliates of such organizations, or successors in interest of such organizations), if such organizations administer not more than 10 percent of the projects carried out by such organizations with such funds through subcontracts with entities that are not directly associated or affiliated with such organizations."

AMENDMENT NO. 1849

In the matter under the heading "COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS", in the matter under the heading "EMPLOYMENT AND TRAINING ADMINISTRATION", in

title I, insert before the period at the end of the first sentence the following: “: *Provided*, That funds appropriated to carry out title V of such Act shall not be allocated to a public agency or a public or private nonprofit organization, affiliate of such an agency or organization, or successors in interest of such an agency or organization, if it has been determined that there has been fraud or criminal activity within such agency or organization, or that there are substantial and persistent administrative deficiencies involving such agency or organization, or that such agency or organization, for the period of 1993 through 1996, had disallowed costs in excess of 3 percent of funds that were awarded over such period to carry out title V of such Act, as found in independent audits conducted by the Office of Inspector General or by final determinations by the Secretary”.

NICKLES AMENDMENTS NOS. 1850-1851

(Ordered to lie on the table.)

Mr. NICKLES submitted two amendments intended to be proposed by him to the bill, S. 1650, *supra*; as follows:

AMENDMENT No. 1850

At the appropriate place, insert the following:

“SEC. . PROTECTION OF THE SOCIAL SECURITY TRUST FUND.

“(a) Section 253(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended to read as follows:

“(b) EXCESS DEFICIT.—The excess deficit is, if greater than zero, the estimated on-budget deficit for the budget year, excluding any surplus in the old-age, survivors, and disability insurance program established under title II of the Social Security Act.”.

“(b) Section 253(g) of the Balanced Budget and Emergency Deficit Control Act of 1985 is repealed.”.

AMENDMENT No. 1851

At the appropriate place, insert the following:

“SEC. . PROTECTING SOCIAL SECURITY SURPLUSES.

(a) FINDINGS.—Congress finds that—

(1) Congress and the President should balance the budget excluding the surpluses generated by the social security trust funds; and

(2) social security surpluses should only be used for social security reform or to reduce the debt held by the public and should not be spent on other programs.

(b) SENSE OF THE SENATE.—It is the Sense of the Senate that conferees on the fiscal year 2000 appropriations measures should ensure that total discretionary spending does not result in an on-budget deficit (excluding the surpluses generated by the Social Security trust funds) by adopting an across-the-board reduction in all discretionary appropriations sufficient to eliminate such deficit.

REID AMENDMENT NO. 1852

(Ordered to lie on the table.)

Mr. REID submitted an amendment intended to be proposed by him to the bill, S. 1650, *supra*; as follows:

At the appropriate place, insert the following:

SENSE OF THE SENATE ON PREVENTION OF NEEDLESTICK INJURIES

SEC. ____ (a) FINDINGS.—The Senate finds that—

(1) the Centers for Disease Control and Prevention reports that American health care

workers report more than 800,000 needlestick and sharps injuries each year;

(2) the occurrence of needlestick injuries is believed to be widely under-reported;

(3) needlestick and sharps injuries result in at least 1,000 new cases of health care workers with HIV, hepatitis C or hepatitis B every year; and

(4) more than 80 percent of needlestick injuries can be prevented through the use of safer devices.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Senate should pass legislation that would eliminate or minimize the significant risk of needlestick injury to health care workers.

SARBANES AMENDMENT NO. 1853

(Ordered to lie on the table.)

Mr. SARBANES submitted an amendment intended to be proposed by him to the bill, S. 1650, *supra*; as follows:

At the appropriate place, add the following:

SEC. ____ (a) Section 1905(u)(2)(B) of the Social Security Act (42 U.S.C. 1395d(u)(2)(B)) is amended—

(1) by inserting “(i)” after “(B)”;

(2) by adding at the end the following:

“(i) for purposes of clause (i), a child is not considered to qualify for medical assistance under the State plan if the child qualified for such assistance only under a demonstration that—

“(I) was approved under section 1115(a);

“(II) was implemented on or before March 31, 1997; and

“(III) did not include hospital services as a covered benefit.”.

(b) Notwithstanding any other provision of this Act, amounts made available for salaries, expenses, and program management to agencies funded under title II of this Act shall be ratably reduced in an amount equal to the amount necessary to carry out the amendments made by subsection (a).

WELLSTONE AMENDMENTS NOS. 1854-1859

(Ordered to lie on the table.)

Mr. WELLSTONE submitted six amendments intended to be proposed by him to the bill, S. 1650, *supra*; as follows:

AMENDMENT No. 1854

At the end of title III, insert the following:

SEC. ____ ADDITIONAL FUNDING.

In addition to any other funds appropriated under this Act to carry out title I of the Elementary and Secondary Education Act of 1965, there are appropriated an additional \$3,000,000,000 to carry out such title.

AMENDMENT No. 1855

In the matter under the heading “CHILDREN AND FAMILIES SERVICES PROGRAMS” under the heading “ADMINISTRATION FOR CHILDREN AND FAMILIES” in title II, strike “\$6,682,635,000, of which \$20,000,000, to remain available until September 30, 2001, shall be for grants to States for adoption incentive payments, as authorized by section 473A of the Social Security Act; of which \$500,000,000 shall be for making payments under the Community Services Block Grant Act; and of which \$5,267,000,000 shall be for making payments under the Head Start Act,” and insert “\$9,682,635,000, of which \$20,000,000, to remain available until September 30, 2001, shall be

for grants to States for adoption incentive payments, as authorized by section 473A of the Social Security Act; of which \$500,000,000 shall be for making payments under the Community Services Block Grant Act; and of which \$8,267,000,000 shall be for making payments under the Head Start Act.”.

AMENDMENT No. 1856

At the appropriate place add the following:

SEC. ____ It is the sense of the Senate that it is important that Congress determine the economic status of former recipients of assistance under the temporary assistance to needy families program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.).

AMENDMENT No. 1857

At the appropriate place, insert the following:

SEC. ____ EVALUATION OF OUTCOME OF WELFARE REFORM AND FORMULA FOR BONUSES TO HIGH PERFORMANCE STATES.

(a) ADDITIONAL MEASURES OF STATE PERFORMANCE.—Section 403(a)(4)(C) of the Social Security Act (42 U.S.C. 603(a)(4)(C)) is amended—

(1) by striking “Not later” and inserting the following:

“(i) IN GENERAL.—Not later”;

(2) by inserting “The formula shall provide for the awarding of grants under this paragraph based on criteria contained in clause (ii) and in accordance with clauses (iii) and (iv).” after the period; and

(3) by adding at the end the following:

“(i) FORMULA CRITERIA.—The grants awarded under this paragraph shall be based on the following:

“(I) EMPLOYMENT-RELATED MEASURES.—Employment-related measures, including work force entries, job retention, increases in earnings of recipients of assistance under the State program funded under this title, and measures of utilization of resources available under welfare-to-work grants under paragraph (5) and title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.), including the implementation of programs (as defined in subclause (VII)(bb)) to increase the number of individuals training for, and placed in, nontraditional employment.

“(II) MEASURES OF CHANGES IN INCOME OR NUMBER OF CHILDREN BELOW HALF OF POVERTY.—For a sample of recipients of assistance under the State program funded under this title, longitudinal measures of annual changes in income (or measures of changes in the proportion of children in families with income below ½ of the poverty line), including earnings and the value of benefits received under that State program and food stamps.

“(III) FOOD STAMPS MEASURES.—The change since 1995 in the proportion of children in working poor families that receive food stamps to the total number of children in the State (or, if possible, to the estimated number of children in working families with incomes low enough to be eligible for food stamps).

“(IV) MEDICAID AND SCHIP MEASURES.—The percentage of members of families who are former recipients of assistance under the State program funded under this title (who have ceased to receive such assistance for approximately 6 months) who currently receive medical assistance under the State plan approved under title XIX or the child health assistance under title XXI.

“(V) CHILD CARE MEASURES.—In the case of a State that pays child care rates that are

equal to at least the 75th percentile of market rates, based on a market rate survey that is not more than 2 years old, measures of the State's success in providing child care, as measured by the percentage of children in families with incomes below 85 percent of the State's median income who receive subsidized child care in the State, and by the amount of the State's expenditures on child care subsidies divided by the estimated number of children younger than 13 in families with incomes below 85 percent of the State's median income.

“(VI) MEASURES OF ADDRESSING DOMESTIC VIOLENCE.—In the case of a State that has adopted the option under the State plan relating to domestic violence set forth in section 402(a)(7) and that reports the proportion of eligible recipients of assistance under this title who disclose their status as domestic violence victims or survivors, measures of the State's success in addressing domestic violence as a barrier to economic self-sufficiency, as measured by the proportion of such recipients who are referred to and receive services under a service plan developed by an individual trained in domestic violence pursuant to section 260.55(c) of title 45 of the Code of Federal Regulations.

“(VII) DEFINITIONS.—In this clause:

“(aa) DOMESTIC VIOLENCE.—The term ‘domestic violence’ has the meaning given the term ‘battered or subjected to extreme cruelty’ in section 408(a)(7)(C)(iii).

“(bb) IMPLEMENTATION OF PROGRAMS.—The term ‘implementation of programs’ means activities conducted pursuant to section 134(a)(3)(A)(vi)(II) of the Workforce Investment Act of 1998 (29 U.S.C. 2864(a)(3)(A)(vi)(II)), placement of recipients in nontraditional employment, as reported to the Department of Labor pursuant to section 185(d)(1)(C) of such Act (29 U.S.C. 2935(d)(1)(C)), and the performance of the State on other measures such as the provision of education, training, and career development assistance for nontraditional employment developed pursuant to section 136(b)(2) of such Act (29 U.S.C. 2871(b)(2)).

“(cc) NONTRADITIONAL EMPLOYMENT.—The term ‘nontraditional employment’ means occupations or fields of work, including careers in computer science, technology, and other emerging high skill occupations, for which individuals from 1 gender comprise less than 25 percent of the individuals employed in each such occupation or field of work.

“(dd) WORKING POOR FAMILIES.—The term ‘working poor families’ means families that receive earnings at least equal to a comparable amount that would be received by an individual working a half-time position for minimum wage.

“(iii) EMPLOYMENT, EARNING, AND INCOME RELATED MEASURES.—\$100,000,000 of the amount appropriated for a fiscal year under subparagraph (F) shall be used to award grants to States under this paragraph for that fiscal year based on the measures of employment, earnings, and income described in subclauses (I), (II), and (V) of clause (ii), including scores for the criteria described in those items.

“(iv) MEASURES OF SUPPORT FOR WORKING FAMILIES.—\$100,000,000 of the amount appropriated for a fiscal year under subparagraph (F) shall be used to award grants to States under this paragraph for that fiscal year based on measures of support for working families, including scores for the criteria described in subclauses (III), (IV) and (VI) of clause (ii).

“(v) LIMITATION ON APPLYING FOR ONLY 1 BONUS.—To qualify under any one of the em-

ployment, earnings, food stamp, or health coverage criteria described in subclauses (I), (III), or (IV) of clause (ii), a State must submit the data required to compete for all of the criteria described in those subclauses.

(b) DATA COLLECTION AND REPORTING.—Section 411(a) of the Social Security Act (42 U.S.C. 611(a)) is amended by adding at the end the following:

“(8) REPORT ON OUTCOME OF WELFARE REFORM FOR STATES NOT PARTICIPATING IN BONUS GRANTS UNDER SECTION 403(a)(4).—

“(A) IN GENERAL.—In the case of a State which does not participate in the procedure for awarding grants under section 403(a)(4) pursuant to regulations prescribed by the Secretary, the report required by paragraph (1) for a fiscal quarter shall include data regarding the characteristics and well-being of former recipients of assistance under the State program funded under this title for an appropriate period of time after such recipient has ceased receiving such assistance.

“(B) CONTENTS.—The data required under subparagraph (A) shall consist of information regarding former recipients, including—

“(i) employment status;

“(ii) job retention;

“(iii) changes in income or resources;

“(iv) poverty status, including the number of children in families of such former recipients with income below ½ of the poverty line;

“(v) receipt of food stamps, medical assistance under the State plan approved under title XIX or child health assistance under title XXI, or subsidized child care;

“(vi) accessibility of child care and child care cost;

“(vii) the percentage of families in poverty receiving child care subsidies;

“(viii) measures of hardship, including lack of medical insurance and difficulty purchasing food; and

“(ix) the availability of the option under the State plan in section 402(a)(7)(relating to domestic violence) and the difficulty accessing services for victims of domestic violence.

“(C) SAMPLING.—A State may comply with this paragraph by using a scientifically acceptable sampling method approved by the Secretary.

“(D) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary to ensure that—

“(i) data reported under this paragraph is in such a form as to promote comparison of data among States;

“(ii) a State reports, for each measure, changes in data over time and comparisons in data between such former recipients and comparable groups of current recipients; and

“(iii) a State that is already conducting a scientifically acceptable study of former recipients that provides sufficient data required under subparagraph (A) may use the results of such study to satisfy the requirements of this paragraph.”

(c) REPORT OF CURRENTLY COLLECTED DATA.—

(1) IN GENERAL.—Not later than July 1, 2000, and annually thereafter, the Secretary of Health and Human Services shall transmit to Congress a report regarding characteristics of former and current recipients of assistance under the State program funded under this part, based on information currently being received from States.

(2) CHARACTERISTICS.—For purposes of paragraph (1), the characteristics shall include earnings, employment, and, to the extent possible, income (including earnings), the value of benefits received under the State program funded under this title, and

food stamps), the ratio of income to poverty, receipt of food stamps, and other family resources.

(3) BASIS OF REPORT.—The report under paragraph (1) shall be based on longitudinal data of employer reported earnings for a sample of States, which represents at least 80 percent of the population of the United States, including separate data for each of fiscal years 1997 through 2000 regarding—

(A) a sample of former recipients;

(B) a sample of current recipients; and

(C) a sample of food stamp recipients.

(d) REPORT ON DEVELOPMENT OF MEASURES.—Not later than July 1, 2000, the Secretary of Health and Human Services shall transmit to Congress—

(1) a report regarding the development of measures required under subclauses (II) and (V) of section 403(a)(4)(C)(ii) of the Social Security Act (42 U.S.C. 603(a)(4)(C)(ii)), as added by this Act, regarding subsidized child care and changes in income; and

(2) a report, prepared in consultation with domestic violence organizations, regarding the domestic violence criteria required under subclause (VI) of such section.

(e) EFFECTIVE DATES.—

(1) ADDITIONAL MEASURES OF STATE PERFORMANCE.—The amendments made by subsection (a) apply to each of fiscal years 2001 through 2003, except that the income change (or extreme child poverty) criteria described in section 403(a)(4)(C)(ii)(II) of the Social Security Act (42 U.S.C. 603(a)(4)(C)(ii)(II)) shall not apply to grants awarded under section 403(a)(4) of that Act (42 U.S.C. 603(a)(4)) for fiscal year 2001.

(2) DATA COLLECTION AND REPORTING.—The amendment made by subsection (b) shall apply to reports submitted in fiscal years beginning with fiscal year 2001.

AMENDMENT NO. 1858

At the end of title II, add the following:

SOCIAL SERVICES BLOCK GRANT

SEC. _____. Notwithstanding any other provision of this title, the amount appropriated under this title for making grants pursuant to section 2002 of the Social Security Act (42 U.S.C. 1397a) shall be increased to \$2,380,000,000: *Provided*, That notwithstanding any other provision of this title, the amount specified for allocation under section 2003(c) of such Act for fiscal year 2000 shall be \$2,380,000,000.

AMENDMENT NO. 1859

At the end of title III, insert the following:

SEC. _____. ADDITIONAL FUNDING.

In addition to any other funds appropriated under this Act to carry out title I of the Elementary and Secondary Education Act of 1965, there are appropriated an additional \$3,000,000,000 to carry out such title.

COCHRAN AMENDMENT NO. 1860

(Ordered to lie on the table.)

Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill, S. 1650, *supra*; as follows:

At the appropriate place in the bill, insert the following: “*Provided further*, That \$2,000,000 shall be available from the Office on Women's Health to support biological, chemical and botanical studies to assist in the development of the clinical evaluation of phytomedicines in women's health.”

BINGAMAN (AND OTHERS)

AMENDMENT NO. 1861

(Ordered to lie on the table.)

Mr. BINGAMAN (for himself, Mr. REED, Mr. KERRY, and Mr. KENNEDY) submitted an amendment intended to be proposed by them to the bill, supra; as follows:

On pages 52, line 8, after "section 1124A", insert the following: "Provided further, That \$200 million of funds available under section 1124 and 1124A shall be available to carry out the purposes of section 1116(c) of the Elementary and Secondary Education Act of 1965."

REED AMENDMENTS NOS. 1862-1863

(Ordered to lie on the table.)

Mr. REED submitted two amendments intended to be proposed by him to the bill, S. 1650, supra; as follows:

AMENDMENT No. 1862

In title I, under the heading "OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION—SALARIES AND EXPENSES", strike the second proviso.

AMENDMENT No. 1863

At the appropriate place, insert the following:

SEC. ____ INVESTIGATIONS AND REPORTS CONCERNING EMPLOYEE DEATHS.

(a) IN GENERAL.—Notwithstanding any other provision of this Act, amounts appropriated to the Occupational Safety and Health Administration for fiscal year 2000 may be obligated or expended to conduct an investigation in response to an accident causing the death of an employee described in subsection (b) and to issue a report concerning the causes of such an accident, so long as the Occupational and Safety and Health Administration does not impose a fine or take any other enforcement action as a result of such investigation or report.

(b) EMPLOYEE.—An employee described in this section is an employee who is under 18 years of age and who is employed by a person engaged in a farming operation that does not maintain a temporary labor camp and that employs 10 or fewer employees.

REED (AND OTHERS) AMENDMENT NO. 1864

(Ordered to lie on the table.)

Mr. REED (for himself, Ms. COLLINS, Mr. SMITH of Oregon, Mr. LEVIN, and Mr. CONRAD) submitted an amendment intended to be proposed by them to the bill, supra; as follows:

At the end of title III, add the following:

LEVERAGING EDUCATIONAL ASSISTANCE PARTNERSHIP PROGRAM

SEC. ____ (a) IN GENERAL.—Notwithstanding any other provision of this title, amounts appropriated in this title to carry out the leveraging educational assistance partnership program under section 407E of the Higher Education Act of 1965 (20 U.S.C. 1070c et seq.) shall be increased by \$50,000,000.

(b) REDUCTION.—The total discretionary amount appropriated by this Act shall be reduced by \$50,000,000. Such reduction shall be made through a uniform percentage reduction in the amounts made available for expenses and program management to agencies funded under titles I through IV of this Act.

REED (AND OTHERS) AMENDMENT NO. 1865

(Ordered to lie on the table.)

Mr. REED (for himself, Mr. SMITH of Oregon, Mr. KENNEDY, Mrs. MURRAY,

Mr. LEVIN, and Mr. CONRAD) submitted an amendment intended to be proposed by them to the bill, supra; as follows:

OFFICE OF POSTSECONDARY EDUCATION STUDENT FINANCIAL ASSISTANCE

For carrying out subparts 1, 3 and 4 of part A, part C and part E of title IV of the Higher Education Act of 1965, as amended, \$9,548,000, which shall remain available through September 30, 2001.

REED AMENDMENTS NOS. 1866-1868

(Ordered to lie on the table.)

Mr. REED submitted three amendments intended to be proposed by him to the bill, S 1650, supra; as follows:

AMENDMENT No. 1866

In title I, under the heading "OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION—SALARIES AND EXPENSES", insert before the colon at the end of the second proviso the following: ", except that amounts appropriated to the Occupational Safety and Health Administration for fiscal year 2000 may be obligated or expended to conduct an investigation in response to an accident causing the death of an employee (who is under 18 years of age and who is employed by a person engaged in a farming operation that does not maintain a temporary labor camp and that employs 10 or fewer employees) and to issue a report concerning the causes of such an accident, so long as the Occupational and Safety and Health Administration does not impose a fine or take any other enforcement action as a result of such investigation or report".

AMENDMENT No. 1867

At the end of title I, add the following:

SEC. ____ None of the funds appropriated in this title may be expended for expenses of the Office of Workers' Compensation Programs until the day after there is enacted a law that states the following:

"(a) Notwithstanding any provision of section 8122 of title 5, United States Code, a claim for compensation under subchapter I of chapter 81 of such title shall be treated as timely filed for the purposes of that subchapter if—

"(1) the individual who filed the claim is eligible to do so under subsection (b) or is a person who filed the claim on behalf of such an individual;

"(2) the claim is for compensation for a disability or death resulting from a disease or condition described in subsection (c); and

"(3) the claim—

"(A) was filed under section 8121 of title 5, United States Code, on or before the date of the enactment of this Act; or

"(B) is filed under such section within one year after that date.

"(b) An individual is eligible under this section to file a claim for compensation under section 8121 of title 5, United States Code, without regard to paragraph (1) of that section, if the individual—

"(1) while serving as an employee of the War Department or the Navy Department during World War II, was exposed to a nitrogen or sulfur mustard agent in the performance of official duties as an employee; and

"(2) developed a disease specified in subsection (c) after the exposure.

"(c) A claim for compensation under subchapter I of chapter 81 of title 5, United States Code, that is filed under this section shall be granted if warranted under the provisions of that subchapter for a disability or

death resulting from any of the following diseases or conditions:

"(1) In the case of an individual who was exposed to a sulfur mustard agent:

"(A) Chronic conjunctivitis.

"(B) Chronic keratitis.

"(C) Chronic corneal opacities.

"(D) Formation of scars.

"(E) Nasopharyngeal cancer.

"(F) Laryngeal cancer.

"(G) Lung cancer, other than mesothelioma.

"(H) Squamous cell carcinoma of the skin.

"(I) Chronic laryngitis.

"(J) Chronic bronchitis.

"(K) Chronic emphysema.

"(L) Chronic asthma.

"(M) Chronic obstructive pulmonary disease.

"(2) In the case of an individual who was exposed to a nitrogen mustard agent:

"(A) Any disease or condition specified in paragraph (1).

"(B) Acute nonlymphocytic leukemia.

"(d) Section 8119 of title 5, United States Code, does not apply with respect to a claim filed under this section.

"(e) In this section, the term 'World War II' has the meaning given the term in section 101(8) of title 38, United States Code."

AMENDMENT No. 1868

At the end of title I, add the following:

SEC. ____ None of the funds appropriated in this title may be expended for expenses of the Office of Workers' Compensation Programs until the day after there is enacted a law that states the following:

"(a) Notwithstanding any provision of section 8122 of title 5, United States Code, a claim for compensation under subchapter I of chapter 81 of such title shall be treated as timely filed for the purposes of that subchapter if—

"(1) the individual who filed the claim was eligible to do so under subsection (b) or was a person who filed the claim on behalf of such an individual;

"(2) the claim is for compensation for a disability or death resulting from a disease or condition described in subsection (c); and

"(3) the claim was filed under section 8121 of title 5, United States Code, not later than March 10, 1994.

"(b) An individual is eligible under this section to file a claim for compensation under section 8121 of title 5, United States Code, without regard to paragraph (1) of that section, if the individual—

"(1) while serving as an employee of the War Department or the Navy Department during World War II, was exposed to a nitrogen or sulfur mustard agent in the performance of official duties as an employee; and

"(2) developed a disease specified in subsection (c) after the exposure.

"(c) A claim for compensation under subchapter I of chapter 81 of title 5, United States Code, that is filed under this section shall be granted if warranted under the provisions of that subchapter for a disability or death resulting from any of the following diseases or conditions:

"(1) In the case of an individual who was exposed to a sulfur mustard agent:

"(A) Chronic conjunctivitis.

"(B) Chronic keratitis.

"(C) Chronic corneal opacities.

"(D) Formation of scars.

"(E) Nasopharyngeal cancer.

"(F) Laryngeal cancer.

"(G) Lung cancer, other than mesothelioma.

"(H) Squamous cell carcinoma of the skin.

“(I) Chronic laryngitis.
 “(J) Chronic bronchitis.
 “(K) Chronic emphysema.
 “(L) Chronic asthma.
 “(M) Chronic obstructive pulmonary disease.

“(2) In the case of an individual who was exposed to a nitrogen mustard agent:

“(A) Any disease or condition specified in paragraph (1).

“(B) Acute nonlymphocytic leukemia.

“(d) Section 8119 of title 5, United States Code, does not apply with respect to a claim filed under this section.

“(e) In this section, the term ‘World War II’ has the meaning given the term in section 101(8) of title 38, United States Code.”.

REED (AND OTHERS) AMENDMENT NO. 1869

(Ordered to the lie on the table.)

Mr. REED (for himself, Mr. SMITH of Oregon, Mr. KENNEDY, Mrs. MURRAY, Mr. LEVIN, and Mr. CONRAD) submitted an amendment intended to be proposed by them to the bill, supra; as follows:

At the end of title III, add the following:

LEVERAGING EDUCATIONAL ASSISTANCE PARTNERSHIP PROGRAM

SEC. . (a) IN GENERAL.—Notwithstanding any other provision of this title, amounts appropriated in this title to carry out the leveraging educational assistance partnership program under section 407 of the Higher Education Act of 1965 (20 U.S.C. 1070c et seq.) shall be increased by \$50,000,000, and these additional funds shall become available on October 1, 2000.

WYDEN (AND OTHERS) AMENDMENT NO. 1870

(Ordered to the lie on the table.)

Mr. WYDEN (for himself, Mr. GRAHAM, and Mr. SMITH of Oregon) submitted an amendment intended to be proposed by them to the bill, supra; as follows:

On page 19, line 8, insert before the period the following: “: *Provided further*, That funds made available under this heading shall be used to report to Congress, pursuant to Public Law 85-67 (29 U.S.C. 5630 with options that will ensure a legal domestic work force in the agricultural sector, and provide for improved compensation, longer and more consistent work periods, improved benefits, improved living conditions and better housing quality, and transportation assistance between agricultural jobs for agricultural workers, and address other issues related to agricultural labor that the Secretary of Labor determines to be necessary”.

DOMENICI AMENDMENTS NOS. 1871- 1872

(Ordered to lie on the table.)

Mr. DOMENICI submitted two amendments intended to be proposed by him to the bill, S. 1650, supra; as follows:

AMENDMENT No. 1871

At the end, add the following:

SEC. . LAWTON CHILES FOUNDATION.

From amounts made available to the Secretary of Health and Human Services under this Act, the Secretary shall award a grant, in the amount of \$10,000,000, to the Lawton

Chiles Foundation to support a facility for the foundation.

AMENDMENT No. 1872

At the end, add the following:

SEC. . LAWTON CHILES FOUNDATION.

From amounts made available to the Secretary of Health and Human Services under this Act, the Secretary shall award a grant, in the amount of \$10,000,000, to the Lawton Chiles Foundation to support a facility for the foundation.

BINGAMAN AMENDMENTS NOS. 1873-1874

(Ordered to lie on the table.)

Mr. BINGAMAN submitted two amendments intended to be proposed by him to the bill, S. 1650, supra; as follows:

AMENDMENT No. 1873

At the appropriate place in the bill add the following:

SEC. . STUDY OF CONFOUNDING BIOPHYSIOLOGICAL INFLUENCES ON POLYGRAPHY.

From within funds made available by this Act, the Director of the National Institutes of Health shall enter into appropriate arrangements with the National Academy of Sciences to conduct a comprehensive study and investigation into the scientific validity of polygraphy as a screening tool for federal and federal contractor personnel. Such study and investigation shall include the effect of prescription and non-prescription drugs on the validity of polygraph tests, the potential for other techniques of suppressing or altering conscious or autonomic physiological reflexes to compromise the validity of polygraph tests, and differential responses to polygraph tests according to biophysiological factors that may vary according to age, gender, ethnic or socioeconomic backgrounds, or other factors relating to natural variability in human populations. The study and investigation shall specifically address the scientific validity of polygraph tests being proposed for use in proposed rules published at 64 Fed. Reg. 45062 (August 18, 1999).

AMENDMENT No. 1874

At the appropriate place in the bill add the following:

SEC. . STUDY OF CONFOUNDING BIOPHYSIOLOGICAL INFLUENCES ON POLYGRAPHY.

From within funds made available by this Act, the Director of the National Institutes of Health shall enter into appropriate arrangements with the National Academy of Sciences to conduct a comprehensive study and investigation into the scientific validity of polygraphy as a screening tool for federal and federal contractor personnel. Such study and investigation shall include the effect of prescription and non-prescription drugs on the validity of polygraph tests, the potential for other techniques of suppressing or altering conscious or autonomic physiological reflexes to compromise the validity of polygraph tests, and differential responses to polygraph tests according to biophysiological factors that may vary according to age, gender, ethnic or socioeconomic backgrounds, or other factors relating to natural variability in human populations. The study and investigation shall specifically address the scientific validity of polygraph tests being proposed for use in proposed rules published at 64 Fed. Reg. 45062 (August 18, 1999).

BINGAMAN (AND OTHERS) AMENDMENT NO. 1875

(Ordered to lie on the table.)

Mr. BINGAMAN (for himself, Mr. REED, Mr. KERRY, and Mr. KENNEDY) submitted an amendment intended to be proposed by them to the bill, supra; as follows:

On page 52, line 8, after “section 1124A”, insert the following: “*Provided further*, That \$200 million of funds available under section 1124 and 1124A shall be available to carry out the purposes of section 1116(c) of the Elementary and Secondary Education Act of 1965.”

BINGAMAN AMENDMENTS NOS. 1876-1878

(Ordered to lie on the table.)

Mr. BINGAMAN submitted three amendments intended to be proposed by him to the bill, S. 1650, supra; as follows:

AMENDMENT No. 1876

At the end of title II, add the following:

SEC. 216. STUDY AND REPORT ON THE GEOGRAPHIC ADJUSTMENT FACTORS UNDER THE MEDICARE PROGRAM.

(a) STUDY.—The Secretary of Health and Human Services shall conduct a study on—

(1) the reasons why, and the appropriateness of the fact that, the geographic adjustment factor (determined under paragraph (2) of section 1848(e) (42 U.S.C. 1395w-4(e)) used in determining the amount of payment for physicians’ services under the medicare program is less for physicians’ services provided in New Mexico than for physicians’ services provided in Arizona, Colorado, and Texas; and

(2) the effect that the level of the geographic cost-of-practice adjustment factor (determined under paragraph (3) of such section) has on the recruitment and retention of physicians in small rural states, including New Mexico, Iowa, Louisiana, and Arkansas.

(b) REPORT.—Not later than 3 months after the date of enactment of this Act, the Secretary of Health and Human Services shall submit a report to Congress on the study conducted under subsection (a), together with any recommendations for legislation that the Secretary determines to be appropriate as a result of such study.

AMENDMENT No. 1877

At the end of title II, add the following:

DENTAL SEALANT DEMONSTRATION PROGRAM

SEC. ____ . From amounts appropriated under this title for the Health Resources and Services Administration, \$1,000,000 shall be made available to the Maternal Child Health Bureau for the establishment of a multi-State preventive dentistry demonstration program to improve the oral health of low-income children and increase the access of children to dental sealants through community- and school-based activities.

AMENDMENT No. 1878

At the end of title II, add the following:

SEC. 216. REVISION OF GEOGRAPHIC ADJUSTMENT FACTOR USED IN MAKING MEDICARE PAYMENTS FOR PHYSICIANS’ SERVICES IN NEW MEXICO.

(a) IN GENERAL.—Notwithstanding section 1848 of the Social Security Act (42 U.S.C. 1395w-4), in the case of physicians’ services

provided in New Mexico, the geographic adjustment factor (determined under subsection (e)(2) of such section) used in determining the amount of payment for such services shall be equal to the national average of such factors.

(b) EFFECTIVE DATE.—This section shall apply to services provided on or after January 1, 2000.

BINGAMAN (AND MURRAY)
AMENDMENT NO. 1879

(Ordered to lie on the table.)

Mr. BINGAMAN (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed by them to the bill, S. 1650, supra; as follows:

At the end of title III add the following:

ADVANCED PLACEMENT INCENTIVE PROGRAM

SEC. ____ Notwithstanding any other provision of this title, the amount appropriated under this title to carry out school improvement activities authorized by titles II, IV, V-A and B, VI, IX, X, and XIII of the Elementary and Secondary Education Act of 1965 ("ESEA"); the Stewart B. McKinney Homeless Assistance Act; and the Civil Rights Act of 1964 and part B of title VIII of the Higher Education Act of 1965 programs shall be increased to \$2,888,634,000: *Provided*, That \$2,000,000 of which shall become available on October 1, 2000, shall remain available through September 30, 2001, and shall be made available for grants to States to enable the States to establish pilot programs for Internet-based advanced placement courses in rural parts of the United States where students would not have access to advanced placement instruction without the assistance provided under this section.

WELLSTONE AMENDMENTS NOS.
1880-1881

(Ordered to lie on the table.)

Mr. WELLSTONE submitted two amendments intended to be proposed by him to the bill, S. 1650, supra; as follows:

AMENDMENT NO. 1880

On page 31, line 9, strike "\$2,750,700,000" and insert "\$2,799,516,000, of which \$70,000,000 shall be made available to carry out the mental health services block grant under subpart I of part B of title XIX of the Public Health Service Act, and".

AMENDMENT NO. 1881

On page 31, line 9, strike "\$2,750,700,000" and insert "\$2,799,516,000, of which \$70,000,000 shall be made available to carry out the mental health services block grant under subpart I of part B of title XIX of the Public Health Service Act, and".

KERRY (AND SMITH) AMENDMENT
NO. 1882

(Ordered to lie on the table.)

Mr. KERRY (for himself and Mr. SMITH of Oregon) submitted an amendment intended to be proposed by them to the bill, S. 1650, supra; as follows:

At the appropriate place, insert:

SEC. . SENSE OF THE SENATE REGARDING
COMPREHENSIVE PUBLIC EDU-
CATION REFORM.

(a) FINDINGS.—The Senate finds the following:

(1) Recent scientific evidence demonstrates that enhancing children's physical, social,

emotional, and intellectual development before the age of six results in tremendous benefits throughout life.

(2) Successful schools are led by well-trained, highly qualified principals, but many principals do not get the training that the principals need in management skills to ensure their school provides an excellent education for every child.

(3) Good teachers are a crucial catalyst to quality education, but one in four new teachers do not meet state certification requirements; each year more than 50,000 under-prepared teachers enter the classroom; and 12 percent of new teachers have had no teacher training at all.

(4) Public school choice is a driving force behind reform and is vital to increasing accountability and improving low-performing schools.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the federal government should support state and local educational agencies engaged in comprehensive reform of their public education system and that any education reform should include at least the following principals:

(A) that every child should begin school ready to learn by providing the resources to expand existing programs, such as Even Start and Head Start;

(B) that training and development for principals and teachers should be a priority;

(C) that public school choice should be encouraged to increase options for students; and

(D) that support should be given to communities to develop additional counseling opportunities for at-risk students.

(E) School boards, administrators, principals, parents, teachers, and students must be accountable for the success of the public education system and corrective action in underachieving schools must be taken.

BINGAMAN (AND HUTCHISON)
AMENDMENT NO. 1883

(Ordered to lie on the table.)

Mr. BINGAMAN (for himself and Mrs. HUTCHISON) submitted an amendment intended to be proposed by them to the bill, S. 1650, supra; as follows:

At the appropriate place, insert the following:

SEC. ____ The United States-Mexico Border Health Commission Act (22 U.S.C. 290n et seq.) is amended—

(1) by striking section 2 and inserting the following:

"SEC. 2. ESTABLISHMENT OF BORDER HEALTH COMMISSION.

"Not later than 30 days after the date of enactment of this section, the President shall appoint the United States members of the United States-Mexico Border Health Commission, and shall attempt to conclude an agreement with Mexico providing for the establishment of such Commission."; and

(2) in section 3—

(A) in paragraph (1), by striking the semicolon and inserting "; and";

(B) in paragraph (2)(B), by striking "; and" and inserting a period; and

(C) by striking paragraph (3).

BROWBACK AMENDMENT NO. 1884

(Ordered to lie on the table.)

Mr. BROWBACK submitted an amendment intended to be proposed by him to the bill, S. 1650, supra; as follows:

At the appropriate place insert the following:

The Senate finds the following:

Earlier this year, the House of Representatives passed a Social Security lockbox designed to protect the Social Security surplus by an overwhelming vote of 416 to 12;

Bipartisan efforts over the past few years have eliminated the budget deficit and created a projected combined Social Security and non-Social Security surplus of \$2,896,000,000,000 over the next ten years;

This surplus is largely due to the collection of the Social Security taxes and interest on already collected receipts in the trust fund;

The President and the Congress have not reached an agreement to use any of the non-Social Security surplus on providing tax relief; and

Any unspent portion of the projected surplus will have the effect of reducing the debt held by the public; Now, therefore,

It is the sense of the Senate that the Senate—

(1) Should not consider legislation that would spend any of the Social Security surplus; and

(2) Should continue to pursue efforts to continue to reduce the \$3,618,000,000,000 in debt held by the public.

COVERDELL AMENDMENT NO. 1885

Mr. COVERDELL proposed an amendment to amendment No. 1846 proposed by Mr. ENZI to the bill, S. 1650, supra; as follows:

Strike all after the first word and insert the following: "That of the amount appropriated under this heading that is in excess of the amount appropriated for such purposes for fiscal year 1999, \$16,883,000 shall be used to carry out the activities described in paragraph (1) and \$16,883,000 shall be used to carry out paragraphs (2) through (6);".

GRAHAM (AND OTHERS)
AMENDMENT NO. 1886

Mr. GRAHAM (for himself, Mr. WELLSTONE, Mr. ROCKEFELLER, Mr. DODD, Mr. KENNEDY) proposed an amendment to the bill, S. 1650, supra; as follows:

Strike all after the first word and insert the following: Notwithstanding any other provision of this title, the amount appropriated under this title for making grants pursuant to section 2002 of the Social Security Act (42 U.S.C. 1397a) shall be increased to \$2,380,000,000: *Provided*, That (1) \$1,330,000,000 of which shall become available on October 1, 2000, and (2) notwithstanding any other provision of this title, the amount specified for allocation under section 2003(c) of such Act for fiscal year 2001 shall be \$3,030,000,000.

CAMPAIGN FINANCE INTEGRITY
ACT OF 1999

ALLARD AMENDMENT NO. 1887

(Ordered referred to the Committee on Rules and Administration.)

Mr. ALLARD submitted an amendment intended to be proposed by him to the bill (S. 1671) to reform the financing of Federal elections; as follows: