United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 105th CONGRESS, SECOND SESSION

Vol. 144 WASHINGTON, FRIDAY, MARCH 20, 1998 No. 32

House of Representatives

The House was not in session today. Its next meeting will be held on Monday, March 23, 1998, at 2 p.m.

Senate

FRIDAY, MARCH 20, 1998

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. THURMOND).

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, we echo Daniel's gratitude, ''I thank You and praise You, O God of my fathers; You have given me wisdom and might''—Daniel 2:23. We need both of these gifts as we come to the end of this week and the challenges of this day. Thank You for the spiritual gift of wisdom that gives us x-ray penetration into the issues before us. Wisdom comes from listening to You and being open to others who have opened their minds to You. Thank You for the divine discernment that comes from talking to You before we talk publicly. Give us Your perspective. Reveal Your will. Then multiply Your gift of wisdom with might, the courage of our convictions, and the boldness to stand for Your truth.

Oh God, give this Senate men and women like Daniel who know they belong to You, who seek Your supernatural wisdom, who base their leadership on Your values, and who have Your character traits of faithfulness, righteousness, and truthfulness. Bless them as You have blessed lodestar leaders in each period of our history. May this be a great day when Your wisdom and might are expressed with undeniable vigor. Through our Lord and Saviour. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able Senator from Texas is recognized.

Mrs. HUTCHISON. Thank you, Mr. President.

I am speaking now for the leader to let Members know what the script is today.

SCHEDULE

Mrs. HUTCHISON. Mr. President, this morning the Senate will resume consideration of NATO expansion and its treaty, with amendments to the resolution of ratification being offered throughout the day.

As previously stated, any Senators with amendments are encouraged to contact the managers of the treaty with their amendments. As earlier stated, it is hoped that the Senate will be able to make considerable progress on the treaty today.

In addition, the Senate may consider any other legislative or executive business cleared for Senate action.

As previously announced, no rollcall votes will occur during today's session. The next vote will occur at 5:30 p.m. on Monday, hopefully in relation to an amendment to the NATO treaty. Also, the second cloture vote in connection with the Coverdell A+ bill has been postponed, to occur on Tuesday, March 24, in an effort to work on an agreement towards orderly handling of that bill. Therefore, a second cloture vote will occur on the Coverdell A+ bill on Tuesday, if an agreement cannot be reached in the meantime.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. SMITH of Oregon). Under the previous order, leadership time is reserved.

EXECUTIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now go into executive session to resume consideration of treaty document No. 105–36.

PROTOCOLS TO THE NORTH ATLANTIC TREATY OF 1949 ON ACCESSION OF POLAND, HUNGARY, AND THE CZECH REPUBLIC

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

Treaty document 105–36, Protocols to the North Atlantic Treaty of 1949 on Accession of Poland, Hungary and the Czech Republic.

The Senate resumed consideration of the treaty.

Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I am going to speak today on the very important responsibility that the U.S. Senate has in ratifying the addition to the NATO treaty.

I am a strong believer in the Senate's constitutional obligation and responsibility to advise and consent on treaties. Generally speaking, I also believe we have an equally strong obligation and responsibility to oversee American foreign policy. In fact, I think too

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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often in this body we simply acquiesce to the President—regardless of party—when it comes to these responsibilities. Members on both sides of the aisle too often interpret the authority the Constitution gives to the President to conduct foreign policy as somehow superior to the authority the same document gives to us to oversee, advise, and consent.

Because the Framers of our Constitution were concerned about the unchecked power of the executive branch, they placed the responsibility to advise and consent on all treaties in the U.S. Senate. I have read the Federalist Papers. I have studied the Constitution and what went into making the Constitution of the United States. It was clear that the Framers of the Constitution were very concerned about the king they had just left. And they put power in the legislative branch of Government to make sure that a treaty that would obligate the United States would be well thought out and not something that would be easily given by our Chief Executive. Because of that responsibility, I find myself—and the Senate in general—facing a dilemma when it comes to the question of whether or not to expand the North Atlantic Treaty Organization.

On one side we have colleagues who strongly support the resolution of ratification. I respect their views, and I believe they are in the majority in this body. But throughout the course of the past few days of debate, I have heard some of those supporters speak out in an intemperate manner about the reservations other Members have raised. I have heard supporters say, in effect, that any reservation is a bad reservation, that the proposal to add these new members is moral and just and needs no further thought. We have been told that the United States owes these countries membership in NATO, and it has been implied that to question this assumption is to question the very merits of the cold war and NATO's role in winning that war.

I was just a citizen during Desert Storm, and I watched intently the debate in the U.S. Senate on the resolution to approve sending our soldiers to Desert Storm. What struck me about that debate was that it was a wonderful debate, and it was what I thought the Senate would be and should be. It was Members speaking from the heart about what they believed their responsibilities were and how they would exercise those responsibilities in relation to what the President was asking them to do. I never heard one Member in that debate criticize another Member for having a different view. And I think that is what the Senate should be today as we debate NATO expansion.

Many of us who have reservations about this proposal are strong supporters of NATO—I certainly am—and of American leadership within the alliance, because I think NATO is the best defense alliance that has ever been in the history of the world. I want to make sure that we preserve it. We understand, however, that there are many other places in the world where only the United States can and will lead. We cherish the role that NATO played in winning the cold war, and it is because of that commitment to support NATO that we take this responsibility to consider the ramifications of enlargement so seriously.

Mr. President, many of us with reservations are not isolationists. Neither are we interventionists. We want to see the United States take its fair place in the world and its fair share of the responsibility, but we do not think it should be involved in every regional conflict, dissipating our strengths and endangering our role as a superpower capable of responding where no one else will.

On the other side of the dilemma—in which many of us find ourselves, frankly—is the failure of the President of the United States to lead. While our colleagues who support NATO and support the enlargement vigorously oppose any reservations and conditions we may wish to debate, the fact is it was the President's responsibility as the executor of American foreign policy to negotiate these reservations and conditions.

Instead, he all but promised the three countries under consideration—worthy countries—that their admission into the alliance was assured. He presented this to the Senate as a fait accompli, and now it is being suggested that any opposition or even reservation must be seen as isolationist or, as some colleagues in this body have suggested, as appeasement of the antidemocratic forces of the cold war.

Mr. President, we have seen this approach to difficult foreign policy issues by the President before. In Bosnia, the President negotiated peace accords that required the involvement of tens of thousand of U.S. troops and then dared the Congress to oppose his decision to send those troops. More recently, in Iraq he sent tens of thousands of U.S. forces without having laid out any coherent mission.

So what should the President have done? I think the responsibility of the President of the United States was to sit down with our NATO allies at the end of the cold war and say, ''We won the cold war. Now let's talk about what is the biggest threat to our collective body, and let's address that threat.''

What is the purpose of NATO? That should have been the first question. Given our victory in the cold war and the consolidation of freedom and democracy in the former Soviet bloc, what should we do that would enhance the security of Europe and look to the security threats to all of us in the future? What is the role of the United States in a revised strategic alliance? Does the United States need to be the glue that holds Europe together? Or is this the time to start encouraging our European allies to take more responsibility for their own continental security? I am not saying there is the answer before us, but I say this should be the question.

The second thing the President should have done before we started talking about specific countries is establish the criteria for membership, having negotiated a new post-world-war strategic rationale, as he should have done. Then the President should have organized the allies to start thinking about the criteria for new members. It would have been better to set these qualifications before personalities were involved.

No. 3, having adopted a new strategy on admission and identifying the country that could help NATO execute that strategy, the next step for the President would have been to establish the fair share of the United States of America. He would have made it clear to the allies exactly what it is the United States would bear, mindful ever of the reality that we already pay for 25 percent of NATO's common costs. He would have discussed with the allies the amounts the United States already spends disproportionately to maintain the remainder of power in Asia and in the Middle East. He would have recounted those early debates in the United States about NATO membership 50 years ago when the Senate and President Truman agreed that the United States commitment could not continue at such levels forever if we were to maintain the capability of responding elsewhere in the world.

It was President Truman who was thinking ahead at the time with the Congress of the United States and realized that there were limitations which must be addressed for the long term.

Fourth. With a new strategic rationale, a new mission, new members identified and reasonable cost sharing, the President should then have established some mechanism to ensure that NATO was not importing into the alliance the border, ethnic or religious disputes that have riven Europe for centuries. He would have pointed to the ongoing conflict in the Balkans, the longstanding conflict between Greece and Turkey and seen the opportunity to leverage our allies' desire for NATO enlargement into a formal process of dispute resolution that would be well understood and accepted by all members present and future. Such a process would prevent the United States and other NATO allies from having to honor mutual defense commitments required by the alliance in the event of border or other conflicts that are not worthy of the alliance's involvement.

We all know that this has not happened. Instead, the President has presented to us a proposal to add new members to the alliance—nothing more, nothing less. We know nothing about what it will cost the United States. The administration's own estimates have varied wildly. They are somewhere between $400 million and $125 billion. We are not considering an updated, new strategic rationale for

the NATO alliance. We are not considering standard criteria for membership for other countries to have a precedent. We are not considering how the expanded alliance will handle future conflicts among members or between members and nonmembers.

To put it simply, we are today debating who and when, and we should be debating how and why.

That is the crux of my problem with this process. So it is left to the Senate to answer these questions and provide this definition. I commend the chairman of the Foreign Relations Committee, my friend, the senior Senator from North Carolina. He tried to do this work in his committee. He has established some good conditions and reporting requirements that are in the proposal before the Senate today. But because the President put the cart before the horse, we are facing a terrible dilemma. We are trying to put the criteria in place on the Senate floor that should have been negotiated before invitations were issued.

So where are we now? We are considering three wonderful countries, and we are talking about the criteria and the cost and the new mission in the context of whether we would take these wonderful countries into NATO. I do not like to be faced with a dilemma of voting against these countries, the hopes of which have been raised to such high expectations. I am affected by that dilemma because every one of these countries has wonderful people who are trying very hard for democracy and a free economic system. I want to support these countries. I want to support NATO enlargement. The key for me is whether we can set responsible conditions that should have been set before we ever got into invitations for membership.

I hope I will be able to do it because I hope the Senate will act in a responsible manner and do what the President should have done, and that is provide for the mission of a post-cold-war NATO, look at the fair share that America should put into European security, establish a border resolution process for disputes, and make sure that the criteria are set so that we will not raise false hopes or no hopes from other countries that will be seeking membership.

Let us talk about where we are now for our own security interests. Our defense resources are being stretched to the limit. We are leading all over the globe. We have tens of thousands of U.S. forces in Asia. We have thousands in Korea. We have thousands in Bosnia, with thousands more backing them up. I have already mentioned the Middle East where it seems only the United States is able to lead in that vital area.

While these obligations have grown since the cold war, the forces we have to meet them have decreased. In fact, defense spending has declined by 40 percent in real terms since the peak in 1985. Our ability to modernize and prepare those forces for the 21st century threat has been mortgaged against today's more urgent, though ultimately less important, priorities.

Regardless of the cost, our intention to add security obligations seems to contradict the reality of declining defense budgets and the general post-cold-war retrenchment that is taking place in all of the Western democracies. French President Jacques Chirac has already flatly declared that France does not intend to raise its contribution to NATO because of the cost of enlargement.

It seems fitting that we are discussing these issues even as we are preparing to approve an additional $1/2 billion to the ongoing U.S. mission in Bosnia. It is a warning about cost estimates and reality. This administration estimated the cost of the operation in Bosnia at less than $2 billion. Recently, Secretary of Defense Cohen acknowledged that we are approaching $8 billion, and now our mission has no withdrawal date so there is no limit.

Mr. President, we are drawing $8 billion out of a shrinking defense budget, and we are having trouble recruiting in the Army, and we are having trouble keeping our F–16's in parts. What are we thinking? Have we looked at the big picture here? So this is why I and other Members are going to try to impose cost containment on the expansion of NATO. It is long past time that we tried to establish somewhat more equity between the amount we spend and the amount our allies spend to defend their countries. Right now, the United States spends nearly 4 percent of our gross national product on defense. Our allies spend an average of 2.5 percent. In NATO, we bear about 25 percent of the common costs. Our next closest ally spends 18 percent. So we will be introducing several amendments to establish equity for our fair share of NATO. We want to pay our fair share, but I am not sure we are there yet.

I am also concerned about the question of collective security. In an era when border and ethnic disputes may be on the rise, we obviously need to look at the example of the Balkans to see what could happen with the United States pledging, as we have in NATO, to consider an attack on an ally as an attack on the United States of America.

I am aware that the President and the Secretary of State have assured us that the very promise of NATO enlargement has served to hasten resolution of many longstanding disputes. Certainly, it seems that Hungary has worked quite hard to reach an agreement with Romania regarding the ethnic minorities and borders, and there are other good examples.

However, NATO is not a stakeholder in that resolution. Should the alliance expand to include Hungary as a member and should Hungary's agreement with Romania break down, for whatever reason, we would face a significant problem of alliance management as we work to resolve the dispute. Frankly, we have seen the burden imposed on the alliance by the ongoing dispute of Greece and Turkey. It makes little sense to pass up this opportunity to fix this problem.

So I have an amendment that will require the U.S. representative at NATO to enter into discussions with our allies on establishing such a process. My proposal for doing so would be for the North Atlantic Council to establish a formal mechanism for resolving disputes. There are a variety of approaches to do this. I am just going to suggest one to be like that used in American labor disputes. If such a process were adopted by the North Atlantic Council, countries would have the opportunity to resolve the dispute among themselves in this way. If by a certain date the parties cannot resolve the dispute, the North Atlantic Council could implement the dispute resolution mechanism. Each disputant would select a NATO country to represent it. The two representative members would together select a third member. These three NATO members could then form a dispute resolution council to consider the matter and help negotiate a settlement. Once a settlement is established, the disputants would have a specific period to accept or reject it and conduct the bilateral diplomacy needed to ratify it according to each country's laws. If the dispute resolution council's negotiated settlement is rejected, the rejecting disputant would forfeit their article 5 collective security protection.

I have discussed this process, or something similar to it, with the Foreign Ministers of the three prospective allies. Their responses were positive. Their only question was that they wanted to ensure they would not be treated differently from present members of the alliance. That is a fair statement, and I agree with them. It should apply to present and future members. This is an opportunity to help the situation we face now and for any future developments we may not see on the horizon.

There are other ways that we can improve the resolution before us. NATO needs a new strategic rationale. We must ask the question, Why do we have this great alliance in the post-cold-war era? What should be the goal for future alliance in Europe? What is our collective strategic need? And what is our threat? How does expanding the alliance help us with other priorities such as deterring the spread and use of nuclear weapons or other weapons of mass destruction? We are putting the cart before the horse by adding new members to the alliance without first answering the question as to what those members will be asked to do and what purpose the alliance serves for the future.

We have a golden opportunity to recreate this remarkable alliance in ways that were not possible when it was forged in the crucible of the cold war. If we miss this opportunity, we could sow seeds for the eventual demise

of the alliance if it loses its focus and becomes mired in all manner of regional disputes. We should not be debating who and when. We should be debating how and why.

Mr. President, I take very seriously my responsibilities as a Member of the Senate to do what is best for America, what is best for our present troops that are protecting our security and the security of generations to come. How we approach our obligation to European security is a key part of the future security of the United States. We must establish our place in the world, our responsibilities in the world and make sure that we can cover those responsibilities with the strength and integrity that our word as the greatest superpower in the world should have. If we do this on a piecemeal basis, without laying the groundwork for the strength of this alliance, we could risk losing the alliance in the long term and we could risk losing the strength of America. I will not allow that to happen without at least speaking for what I think would maintain the place for America in the world, the strength of our country, and making sure that we have the ability to be the beacon for what is the best of people and that we have the strength to back it up. Our decision on the way we approach this alliance, this treaty, and the future of this alliance is key to the future of America.

I thank the Chair. I yield the floor.

Mr. CRAIG addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, let me associate myself with the remarks of the Senator from Texas. She is always very thoughtful on these issues and spends the time it must take to understand them. I appreciate, not only her concern, but what she is offering as a constructive approach toward what might otherwise be a very frustrating effort to expand NATO without, certainly, the consideration of the impact of that expansion.

Mr. President, this morning I come to the floor not to speak about NATO, so let me, at this time, ask unanimous consent that I be allowed to speak up to 40 minutes as in morning business.

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

THE CASE FOR TAX CUTS

Mr. CRAIG. Mr. President, America always rises to a challenge. We meet challenges readily and directly and would never ignore one knowingly as a country.

Therefore, it is not surprising that the greatest threat facing our Nation today would be the least visible. It is invisible because it originates behind our defenses. It does not come from a foreign country; it comes from our own. While it directly threatens our well-being, it dares not confront us directly. It uses Americans' good will and generosity against them. All of this serves to make the threat more insidious and more dangerous.

Mr. President, the greatest threat facing America today is excessive taxation and with it a Washington culture that has transformed excessive into acceptable.

By any estimation, America's tax burden is excessive. Washington is projected to take $1.68 trillion in taxes this year. No government in history has ever collected that much from its citizens. As an overall burden, that $1.7 trillion amounts to 20.1 percent of the Nation's gross domestic product. One-fifth of everything produced in this country is consumed by this city, this Government, Washington, DC. That one-fifth is the highest overall tax burden since World War II, when America had committed itself to a total effort to win the greatest war in mankind's history.

Even then, under those most serious of circumstances, the tax burden placed on the Nation was only slightly larger than it is today. That burden lasted for just 2 years, 1944 and 1945. When the war was done, then the taxes returned to normal because this Congress made that happen because at that time we had not slipped into the culture of excessive taxation.

In contrast, today's tax burden shows no signs of ever ending, to the point that excessive taxation has come to be accepted as normal. Even after the tax cuts of last year have been fully implemented by the year 2003, the overall Federal tax burden will still amount to 19.5 percent, still one-fifth of everything produced in this country. The burden will still be higher than all but 2 years following World War II: 1969, when America was involved in war, and in 1981, when America was being wracked by runaway inflation.

Today we no longer see the specter of Hitler stalking across Europe; today we no longer are fighting in the jungles of Southeast Asia; today there is no runaway inflation; but today, and even more sadly, tomorrow, America is saddled with the same tax burden that used to be reserved only for calamities of the magnitude I have just spoken of.

Today's calamity is the tax burden itself. What once was effect is now cause. Let me repeat that: What once was effect is now cause. Last year Federal, State and local taxes took 38.2 percent of the income of the median two-earner family. It is bad enough that Washington, DC, takes one-fifth of what America produces. But it is intolerable that we are party to, and the principal cause of, taking two-fifths from America's families.

These are not just abstract numbers, folks. Meaningless? Not at all. They are not just something that someone with a green eyeshade or a calculator came up with. These are real dollars taken from real families who could spend them, save them, invest them in real things. The median dual-earning American family pays $22,521—that is $15,400 to Washington alone. That is more than they pay in food costs, for housing, for clothing, or for medical care—combined. That is more than they have ever paid, and they must now work longer and harder than ever to pay it. It is no wonder that two must work when it takes two-fifths of a couple's earnings just to pay their taxes. In fact, one of those two working parents virtually is working entirely for Washington, DC, every day and every hour that spouse spends working, so that Washington politicians can simply spend and spend and spend.

Americans do not think it is fair, only Washington does. In a recent poll, 89 percent of Americans thought that the total tax burden for a family of four should not be any higher than 25 percent. That would mean Washington would still get a bigger portion of the family's earnings than each member of the family. Again, that's a statement worth repeating. Even with that figure, Washington still gets more of the money earned from the family than each member of the family gets.

Americans are a generous people and they thought it was fair that Washington get only 25 percent. Sadly, Washington, DC, does not. Without any war, any disaster, and with times good, Washington demands more than it ever has. Where will the money come from in the time of disaster then? Washington cannot afford a disaster, because America can now no longer afford Washington.

Somewhere along the way, the Federal Government lost its way. Washington has quietly and insidiously subverted the normal relationship that should exist between a state and a free people. Where excessive tax burdens were once relegated to abnormal circumstances, Washington now sees excessive as normal. Where wealth was once considered the property of those who created it, Washington now sees it as the property of those who tax it. Tax dollars have become Washington's dollars—not the rightful property of those from whom they are excessively taken, but the inalienable property of those to whom they are delivered. Only in Washington, DC, can a tax cut cause indignation, moral outrage that there exist people so selfish that they would dare to think their claim on their own earnings is more just than the claims of the bureaucrats and the politicians who wish to spend it.

It is not Washington's money. It is not Washington's money. Not one cent of it. It belongs to those who make it. We are not entitled to it. We are merely its stewards. Our claim to it does not outweigh that of those who earn it, their spouses, their children, their families.

Nor is it just money. To those who did not work for it, it is not real. They see it as a child might, understanding neither its origin nor its limits. What we diminish by calling it ''taxes'' is the work, the time, the property, the sacrifice and the very dreams of those who

earn it for themselves and their families. It is what is taken when Washington taxes excessively.

That people have a fundamental right to their time, their work and their property—none of us would deny this, and none of us would support a system whereby these things were taken. If the Nation commandeered an individual's time, it would rightfully be called a police state. In fact, when an individual's time is taken by imprisonment, it is in fact a police action that takes it. We ended the draft because we thought it was unfair to lay claim to a young man's life when there was no emergency of war facing this Nation. Yet, when the subject is money, Washington demands its portion even in the absence of an emergency.

Excessive taxation is no less than confiscation. When the Federal Government takes more than its share, it forces others to pay more than their share. What crime have those committed who are able to pay, that they can be taxed and taxed and taxed? They are guilty of nothing but success, of supporting themselves, of having created jobs for others, of having saved so that others might borrow and open businesses and create yet more jobs. In 1995 the top one-half of earners paid 95.4 percent of the total income tax of this country.

Is it any wonder, then, when we have so subverted the system that excess is normal and that the product of a person's labor is rightfully Washington's, that we have heinous abuses by the IRS? They cannot be excused, but perhaps partially explained, by the development of a culture that has come to see success as an indictment.

Excessive taxation is immoral. The power to tax is the power to destroy. Yet, when Daniel Webster and Chief Justice John Marshall said it, they could not have known how right they really were. The power to tax not only has the potential to destroy those who are taxed but also, in a much more subtle way, the recipient as well.

The American people demanded welfare reform not because they are mean-spirited, but because they recognize that no system can succeed that separates money from work. Nor should it. To an American, it is no less than immoral to get something for nothing. Washington finally recognized this in the case of welfare, but Washington has yet to apply that same principle to itself and to its taxes.

By separating revenue from the work and the success that created it, Washington comes to take money for granted. It begins to be more concerned with those who receive Government programs than with those who are actually paying for them. And in the ultimate travesty, it comes to stigmatize those who, by their hard work and success, can afford to pay.

In short, Washington becomes morally weakened by indolence, as does someone who lives perpetually on someone else's work. It begins to take both the tax and the taxpayer for granted and, ultimately, it has come to resent the taxpayer as well.

Just as the power to tax is the power to destroy, so the reverse is true as well. The power to cut taxes is the power to create, to create higher wages, more and better jobs, homes, businesses, savings and investments.

In a free society and a free market, people decide where they want their money to go, and it will go where it will be most efficiently used. Raising taxes circumvents this process. Cutting taxes reinvigorates it.

Cutting taxes is not simply about leaving money with the individuals who created it, it is about leaving opportunities in communities. Washington spent more than $5 trillion in constant 1993 dollars on welfare in the 30 years between 1965 and 1994. That figure is roughly the size of the entire national debt today. Yet, there was never a Federal program that could give an individual what Main Street America does day after day after day, and that is a meaningful job, a job that exists strictly because someone, under no compulsion, thought it was worthwhile to hire that person. No Government program can replace by giving what an employee earns by working.

Cutting taxes will put money not only where it belongs morally—with those who earned it—but where it belongs economically—into the Nation's economy. With this spur, the growth we need to meet our future commitments would be at hand. Money going to Washington today will do less to prepare us for our future than money staying with America's earners. If the people knew enough to create the wealth in the first place, why then should Washington know best what to do with it?

Finally, cutting taxes is necessary. We have the highest peacetime tax burden on the largest economy the world has ever known, and it still cannot support our current programs in the near future. Every credible analyst, both inside and outside of Government, knows that we cannot afford our entire entitlement programs tomorrow. Only politicians disagree. President Clinton's latest budget, according to CBO, contains $128 billion in new spending. If we cannot afford today's programs tomorrow, how can we seriously consider adding more? We must first reform what we have.

In just 14 years, Social Security taxes will be unable to pay for benefits. The cost of both Medicare and Medicaid will shoot up. Tax increases will not possibly be able to pay for tomorrow's exploding costs without imploding the Nation's economy. If we follow the tax-hike route, we will not only not solve our problem, we will exacerbate it as slower economic growth leads to increased Federal costs.

In short, tax hikes are a treadmill to oblivion. That is why I offered an amendment last year to require a supermajority in the Senate in order to raise taxes to pay for new spending.

Instead of tax hikes tomorrow, we need to cut taxes today. We need to begin preparing the economic foundation now for a time when the ratio of workers paying taxes to the retirees receiving benefits is smaller than at any time in our Nation's history. This means increasing economic growth, and that means increasing investment.

Investment does not come from Government, it comes from millions of men and women savings and from hundreds of thousands of businesses adding new equipment, things that cannot happen if the money needed for savings and investment in America is being consumed for spending right here in this city.

Taxes are excessive. Excessive taxes are confiscatory. This confiscation by excessive taxation is immoral, both because of what it does to the person for whom excessive taxes are taken, and also because of what it does to the recipient.

Excessive taxes are bad for the economy, and excessive taxes are unsustainable because of the fiscal path now charted by existing spending programs. In the face of this overwhelming evidence, what do the defenders of tax-and-spend-welfare state offer in return? The only thing they can: good intentions. But good intentions are not enough. Would you excuse those who deny you your money, your time, your property, the things you earned for your family, just because their intentions were good?

Would you excuse those who denied basic common sense just because they meant well? Of course not. But we find ourselves too often paralyzed by the good intentions of counterfeit compassion, a compassion that argues there is never enough of other people's money to pay for their good wishes, a compassion that holds there is nothing so noble as a gift from the Government and something suspicious about those who succeed on their own.

Good intentions should not be allowed to excuse Washington's indolence when it claims it cannot cut, that it cannot reform, that it cannot restrain the growth of programs it created so that people can keep more of what they have earned. Nor should Washington be allowed to say it cannot reform when it really means it will not reform.

Washington will not reform because it imagines that it knows better, better than the tens of millions of taxpayers, workers, employers, savers and investors, but Washington, ladies and gentlemen, is wrong.

Instead, Washington should be made to answer this very simple question: Why should those who did not earn, did not save and did not invest the money be more entitled to the returns it generates than those who did?

We must finally say to Washington what Washington has been saying to taxpayers for decades: Sacrifice a little

bit. We must fundamentally change how the Tax Code works. It can no longer be allowed to penalize people. It should not feed off of the system. It should offer rewards. And that is what we must recognize. We can no longer have a Tax Code that treats success as a crime to be punished instead of a goal to be emulated. We can argue over what would be the best tax reform, but we must agree that most suggestions for reform would do better than we are doing now with the current Tax Code.

We must simplify the system. It is bad enough that Washington takes more than it should without the additional insult of confusion. Last year, Americans spent $230.4 billion just complying with the Federal Tax Code. You can call that wasted money—I call that wasted money. That is $230.4 billion that Americans spent trying to stay within the law of the current Tax Code—a quarter of a trillion dollars, not paying taxes, just paying for the ability to pay taxes.

We must lower the excessive tax burden. It is not enough to say that taxes are excessively high and then satisfy ourselves with not reducing the burden. Shifting and simplifying the load is not enough; we have to reduce it, along with simplification. We must end the abuses. As bad as the current code is, it is made intolerable when it is abused.

In cases that we have heard in hearings in the Senate, we have seen the system not merely cross the line, but cross borders and time itself to become a system worthy of a totalitarian state of another time.

When America fears its Government, as America fears the IRS, something is wrong. This is beyond unacceptable, and it has to be stopped. We must do whatever it takes to make sure that it does and that it never returns.

To understand our duty in this, we must first look not to the Tax Code but back to America's foundations. Perhaps we in Idaho, my home State, have the advantage of doing this a little more clearly than some. Ours is a relatively new State of the Union, so perhaps we have a bit clearer view of the intention or the role that Government should take and the role that it ought to play in taxation.

No one was ever inspired to come to America to work for someone else, and certainly not for Washington, DC. They came to work for themselves. People did not cross oceans, and later prairies, in search of a Government program. They came in search of opportunity. Today, we have a Tax Code that takes that opportunity away and makes their search endless.

This country was not founded on a dream of paying excessive taxes. Rather, our country arose from a rebellion against paying excessive taxes. Today, we have a Government—not in London but right here in Washington, run not by a king but by ourselves—that demands from our citizens what our forefathers rejected.

America was not founded on an ideal of relative freedom but on the principles we believe to be absolutes. Excessive taxes are wrong, and the taxes we now pay as Americans are excessive. This is absolutely wrong. It does not matter that other governments exist in other places that demand even more excessive taxes of their citizens. Our standard was never those, and it never should be. America's goal was always to lead and not to follow, and one does not lead by looking back at those who lag behind but forward to the goals that beckon us.

There is no more basic test of Government than what it demands of its citizens. Failure to tax fairly is the worst of Government itself. Because taxpayers are honest, we must be prudent. Because taxpayers work hard, we must remind ourselves that they, not Washington, are entitled to the reward of those works. We are but stewards of their money and they trust us to use it properly. Sadly, we are abusing this trust through excessive taxes.

In governing, we should never use the trust that our people give us against the people themselves.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER (Mr. SESSIONS). The Senator has 13 minutes 20 seconds.

NATIONAL SAFE PLACE WEEK

Mr. CRAIG. Mr. President, I would like to bring one other issue before the Senate today. I am talking about ''National Safe Place Week.'' I rise today to thank my colleagues for passing Senate Resolution 96, which designates this week, March 15 through 21, as ''National Safe Place Week.''

I am truly pleased that the Senate agrees that Project Safe Place is a valuable community resource which deserves our attention and our recognition.

Project Safe Place is a unique union of community agencies and the private sector that promotes the well-being of our Nation's troubled youth. It is an innovative program of nonresidential community locations where youth who are at risk or in crisis situations can obtain help quickly and find shelter if necessary.

The mission of Project Safe Place is to cultivate community involvement, to combat adolescent crime and substance addiction, and to help youth who are abused, threatened, lost or scared, or in an unsafe situation.

Since its creation in 1983, in Louisville, KY, the scope of Project Safe Place has spread to include more than 8,000 Safe Places nationwide, and more than 27,000 young people have sought help at these locations. We all agree that our Nation's youth are our most valuable resource. In our largest cities and our smallest towns, this resource is threatened every minute of every day and every week.

The threats are truly enormous. Every 4 minutes in this country, a youth is arrested for alcohol-related crimes. Every 7 minutes, a youth is arrested for drug-related crimes. And every 2 hours, a youth's life is snuffed out prematurely, making homicide the No. 2 killer of 10- to 14-year-olds, usually with alcohol and drug abuse as the major factor in the violent act that took the life. Nearly half of all adolescent murders and between 20 and 35 percent of adolescent suicides are directly linked to alcohol and to drug abuse. Despite all of our efforts, alcohol and drug abuse among teenagers continues to rise.

Child abuse and neglect also threaten our children. In 1995, Child Protection Service agencies reported that more than 1 million children were abused and neglected, and in the same year almost 1,000 children were known to have died as a result of abuse or neglect. Just like drug abuse, incidents of child abuse are increasing. Between 1986 and 1993—a span of only 7 years—substantiated reports rose by 67 percent.

Another threat to the safety of our children is the temptation to run away from these problems rather than facing them head on. Most runaway youth are not running to some thing; rather, they are running away from family problems, drug problems, or physical or sexual abuse. Unfortunately, runaways find out quickly that their solution can only bring about more problems for themselves. In order to survive on the streets, runaways typically turn to ''survival sex,'' theft, panhandling, or drugs—either selling them to pay for food and shelter or taking them to relieve their pain.

All this paints a pretty dark picture for our Nation's youth. But there is hope. For many troubled teens—over 27,000 of them in fact—this Safe Place sign that you see here serves as a beacon—a beacon of hope, a beacon of opportunity, a beacon which points to the first step in a long and sometimes difficult but necessary road to salvation.

Here is how it works. Here is what the sign means. Here is what is behind the sign. Say you are a teenager with a major problem. You see the Safe Place sign outside of your local fast-food restaurant and you decide that you need help with whatever you are facing. You walk in. It is busy. But as soon as you mention Safe Place and ask an employee for help, you are taken into the back, where there is a quiet and comfortable situation and, most important, away from any of your friends who might happen to be in the restaurant or wonder what you are doing there.

You do not know it, but the employee you have talked to is already on the phone to the local youth shelter. The shelter calls back to tell the employee the name of the counselor who is already on his or her way, and within minutes the volunteer, who is the same gender as you, will arrive to talk with you and transport you back to a shelter if you want counseling and a safe place to stay. If you decide to go to the shelter, counselors will be there to help

you resolve your problems. Also, your family will be notified so that they know you are all right.

Little did you know that the first step of walking up to the counter and asking for help would open up to you all the local community service organizations that you have in your area. Little did you know that it would be that easy to gain help for yourself when you need it.

It is almost as easy to become a Safe Place site. Now, I took that first step last year when I asked my regional office in Pocatello, ID, to consider becoming a Safe Place location. After my employees passed a background check, they attended a short training session to become familiar with the do's and the don'ts and the what if's of greeting those who might seek help. Remember, all an employee in a Safe Place location needs to do is act as the middle person between the victim and the local Safe Place office. The Safe Place volunteers and the local youth shelter take care of everything else.

As Safe Place grows in my home State of Idaho, I will ask that all of my regional offices might join the program as well. I encourage my colleagues in the Senate to do the same in their regional offices. This morning—this very day—I have delivered information about Safe Place programs to each of my colleagues' offices, and I urge you to call the national Safe Place office to find out how you can join in this program. I also urge every business owner in the Nation or anyone who might be observing C-SPAN to talk about it and to encourage business owners to get involved. This is such an effortless way to give something back to the community you live in.

And community is what it is all about—the businesses in a community working together with Safe Place volunteers, and these private volunteers working together with community organizations and agencies. Project Safe Place brings together the best of every community into a long chain of people and resources working together to save young lives.

This chain is growing. Since I introduced the ''National Safe Place'' bill itself back in June of last year, 700 sites have been added to the Safe Place family. But this is only the beginning. The goal is to have a Safe Place in every State before the end of the millennium. That is not very far away. But I know that just as America's ingenuity created these Safe Place for kids, American industry and hard work is a guarantee that every troubled teen, every runaway and every abused or neglected child will know there is a Safe Place right in their own neighborhood if they need it.

Mr. President, I thank you. I yield back the balance of my time and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

PROTOCOLS TO THE NORTH ATLANTIC TREATY OF 1949 ON ACCESSION OF POLAND, HUNGARY AND THE CZECH REPUBLIC

The Senate continued with the consideration of the treaty.

Mr. SMITH of Oregon. Mr. President, I happened to be sitting in the Presiding Officer's chair when the distinguished Senator from Texas came and spoke of her concerns about NATO expansion and expressed some of her regret that some of the debate had been cast in terms of, those who are opposed are somehow less than patriotic or pursuing appeasement. I want her to know that while I am a strong advocate for NATO expansion, I view with appreciation and respect all my colleagues who, for reasons of their conclusions and conscience, have decided that this is not appropriate.

The Senator from Texas has made some points that I think are valid parts of this debate. I would like to respond to the point, however, that she made about the advisability of having a formal dispute resolution process in the NATO alliance. On the surface, I think this may strike some as a very good idea because within the alliance there are long and historic disputes between member countries.

I note that it is a matter of historical record that NATO membership has been one of the primary ways in which longstanding enemies such as Germany and France have been able to resolve these historic enmities, I think in large part because of NATO. This is also occurring on a daily basis as Greece and Turkey—two NATO allies of ours—struggle to remain peaceful neighbors; also between the Spanish and the Portuguese, issues of borders and islands are being resolved; between the British and the Spanish there are ongoing discussions about the island of Gibraltar. All of this is occurring between NATO members.

I believe there is a very informal process going on that because you are a NATO member you don't attack your allies. This is a powerful peer pressure, if you will, that exists in a nonformal way in the NATO alliance.

Why shouldn't there be a formal process? I will tell you this: If it isn't broken, don't try to fix it. Moreover, what NATO does is have all of us who are members who have disparate national interests focus on one common theme, which is common security, a secure alliance, so that all of a sudden you get Germans and Frenchmen—hopefully Hungarians and Czechs—countries that have had disputes over the past—all of a sudden they will be working together for a common goal of mutual defense.

Now, if all of a sudden we say we recognize you have these internal problems or national disputes and we want you to take those into NATO, then what have we done? We have all of a sudden taken a defensive alliance and turned it into a mini European United Nations. I suggest that is the wrong thing to do for NATO. NATO needs to keep its purpose as a defensive alliance and it must not become a vehicle, a formal vehicle, for resolving national disputes. It has been a way in which we cooperate and get along and focus on common purposes and solving common problems, not as a vehicle for bringing our national interests and resolving them within this alliance.

I suggest, while on the surface this amendment sounds very good, it would operate in a very destructive fashion for NATO's well-being in the future. There are already institutions for resolving these kinds of differences, dispute resolutions. NATO must never be one of those.

Now, I have said this with the greatest respect for the Senator from Texas. I know of few people who are more thoughtful and more dedicated to their task in the U.S. Senate than Senator HUTCHISON. She is a great woman by any measure. I say that even though I intend to vote and lobby against her amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. ROTH. Mr. President, I second what the distinguished Senator from Oregon has just said. First, let me repeat what he said about the distinguished Senator from Texas. I know of no one for whom I have greater respect than the junior Senator from Texas. Ever since she has been a Member of this august body, she has contributed greatly to the debate and discussion of all issues, including those of security and defense. When she speaks, I listen with great care. It is my hope that she will not raise this amendment.

As I understand, her proposal is to establish, not study, a binding dispute resolution within the NATO current structure. Frankly, it is my concern that the effort to establish such a mechanism would have the unfortunate impact of reducing U.S. influence, weakening the alliance, and undercutting the North Atlantic Council, NATO's supreme decision-making body. Above all, I think it would increase, increase—not reduce—tensions in the alliance.

It is important that we remember NATO is first and foremost a war-fighting institution. It is not and it was never intended to be a mechanism for dispute resolution. That is a charter for the OSCE. I cannot emphasis too much the importance—we already have an international organization in Europe dedicated to mediating and bringing to an end disputes between countries. As an institution of collective defense, it is true NATO, for 50 years, has fostered trust among parties, trust

that has provided the foundation for dispute resolution among allies.

In its role as an institution of collective defense, NATO's currently flexible methods for handling differences among allies maximizes U.S. influence. Frankly, this is most visible in the alliance's effort to mediate disputes between Turkey and Greece. We should not tinker with this success, the success that NATO has had in resolving differences because of the trust in which it is held by the members of this great alliance. I fear that the proposal would create the impression that the NAC has failed in its realm. I do not believe any of us would say that is true.

By introducing the proposal on this resolution of ratification, we would be communicating that the Senate regards Poland, Hungary, and the Czech Republic as more disputatious than NATO's current 16 members. I do not believe that is the sense of the Senate.

We should never, never in any way, undermine the supremacy of the NAC over all alliance matters and all alliance bodies. Yet, I fear that is what this proposal would do by creating a new body independent from the NAC.

Finally, this proposal would undercut its very own objectives. It would create the very tensions I assume it is intended to diffuse. Members of the Alliance will no longer focus primarily on the Alliance's core mission of collective defense, but will address the Alliance as a means to pursue their own strictly national interests. And, that will change the very culture of the Alliance.

How do you think Greece and Turkey are going to respond to this proposal? More importantly how will such a proposal affect their attitudes toward the Alliance?

It would certainly change the ways in which these two countries view their membership in NATO and their bilateral relationship within NATO. It will prompt them to become suspicious of the NAC. It will introduce greater tensions between them.

As well intentioned this amendment may be, it is nonetheless totally counterproductive.

In brief, Mr. President, this amendment would diminish U.S. influence in the Alliance. It would undercut trust between Allies. It will direct the very focus of our Allies away from NATO's core mission of collective defense. It will undercut trust within the Alliance. Ultimately, this proposal will weaken the Alliance.

I urge my colleagues to oppose this amendment.

Therefore, I urge, first of all, my distinguished colleague from Texas not to raise the amendment. But if she does, I urge my colleagues to oppose it.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. KENNEDY. Mr. President, I ask unanimous consent to speak as in morning business.

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

CUTS IN EDUCATION FUNDING

Mr. KENNEDY. Mr. President, it's Friday noontime, and I want to make clear that the eyes of the Nation are going to be on the Senate of the United States next Tuesday when we will vote on a proposal that will provide a $1.6 billion tax cut that will mostly benefit the wealthy individuals who send their children to private school. That is $1.6 billion that could be used to support our public school system.

I think it's important for the Nation that parents review what has happened in the U.S. Senate over the last few days. Some very important decisions have been made by the Budget Committee. They have decided how to allocate the nation's scarce federal resources—and education doesn't get its fair share. And, next week, we will be voting on this $1.6 billion tax break that will primarily benefit the private schools.

I take issue with those who believe we ought to support the Budget Committee's decision to cut $1.6 billion from education. We should not abandon the public schools in this country. No challenge we face as a Nation is more important than strengthening the academic achievement and accomplishment of the young people in this country—the 48 million young people who attend the public schools in this country every single day.

On the one hand, Republicans want to use $1.6 billion to support for tax breaks to help private schools. And, at the same time, our Republican friends on the Budget Committee cut federal education funding by $400 million from last year, and $1.6 billion below the President's level. Those who are making the speeches about the importance of public schools, if they stand behind the public school system, are going to have to answer the questions why they continue to cut crucial support for education.

Now, look at what the Budget Committee provided in this past week. We will have the chance to debate the budget when it comes up here in the next several days. But let's look at where our Republican friends place their priorities and what they said about public education. They cut $1.6 billion below President Clinton's budget on public education. Now, money is not always the final indicator about what is a good program or what is a bad program; we recognize that. But it is a pretty good indication about where a nation's priorities are. If we go out and start to cut, as the Budget Committee did this past week, $1.6 billion in discretionary assistance for the public schools, we know that education is not a national priority.

That means that they cut education and Head Start funding by $1 billion below the level needed just to maintain the current services. In order for communities to be able to continue to serve the current number of children in Head Start, you would need an additional $1 billion just to meet inflation. Right now, we provide enough funding in Head Start to serve about 40 percent of all the children that are eligible. But now some of those children currently in Head Start programs won't get the help the need.

Now, the Head Start Program doesn't solve all of our problems in early education. But what is undeniable is the importance of early intervention with children. What we have seen with the various Carnegie Commission reports, and the other reports, is that the earlier the intervention, the more confidence young children will have. The Head Start Program is a tried and tested program. If a chid gets help in the Head Start Program, they are more likely to succeed in school and as adults. All you have to do is look at the Ypsilanti programs, the Beethoven project, and various other studies that have been done, and they show what the importance is in terms of early intervention. This Republican budget cuts $1 billion out of that Head Start Program and other important education programs. It also cuts funding for the education programs $400 million below even last year. It prohibits funding for any of the new programs.

So we are having a reduction of $1.6 billion in discretionary funding for education, which includes cuts in the Head Start Program. That Head Start Program has had bipartisan support. President Bush increased it $300 million or $400 million a year. We ran into problems during that period of time that we weren't giving sufficient support and help for those teachers that were involved in those programs. And some of the quality issues were important to address, but we addressed them in a bipartisan way. We also indicated in the reauthorization of the Head Start Program some special funding for the earliest interventions, going down to 3-year-olds and 2-year-olds. That was very important. But this Budget Committee says no to those programs, no to even those that are in those programs, by cutting back funding.

The President of the United States is working hard to address the challenges that we are facing out in our public schools, particularly that we are going to need additional teachers in our schools and we need to rebuild the nation's school buildings. Because of enrollments rising and massive teachers retirements, we are going to need 100,000 new teachers. The President has committed enough funding for 100,000 new teachers in his budget to reduce class sizes in the early grades. The

President of the United States said, let's try a smaller class size for the early years, when the children are just beginning their education experience and they need more individual attention. But, the Republican Budget Committee has said no to the 100,000 new teachers and no to smaller class sizes.

Then the President of the United States introduced a plan to help disadvantaged communities—urban or rural—improve failing schools. A number of communities across this country, such as Chicago and my own city of Boston, are making dramatic improvements in educational opportunities for children. The President's program for creating educational opportunity zones is one of the most important investments we can make to get quick help for tough reform in these needy communities.

The President has proposed help for local communities that are going to take some dramatic steps to try to enhance academic achievement. He calls them ''education opportunity zones.'' We have the record on these, where these are being tried across the country to try to provide additional help and support for those teachers. That program won't be given a chance to get off the ground. There won't be a nickel for that program that was advanced by the President of the United States.

Senator MOSELEY-BRAUN has introduced a very important program to modernize and rebuild the nation's schools. That is very important in every community in this country—whether you have to address overcrowded or crumbling schools. I believe that my own State has the second oldest schools in this country. We find that on a cold day where the temperature goes down to 20 degrees in Boston that 10 or 15 schools in Boston are effectively closed because of poor heating systems. Those children have to stay home. We are talking about a very modest program that will bring $22 billion in bonding authority to the states interest-free. Senator CAROL MOSELEY-BRAUN has been fighting for that day in and day out.

But, the Republicans refuse to make a strong investment in rebuilding the nation's schools.

There is no funding for the High Hopes School College Partnership Program to help young people from disadvantaged communities reach their dream of going to college.

There is no increase in the Title I funding to improve students achievement in math and reading.

What has to happen before Republicans will stop the attack on public education? The Third International Math and Science Study was just released that shows our students aren't measuring up. We have had hours and days of discussion, and volumes of reports, that talk about the importance of early intervention programs, and the importance of programs that provide extra help in areas of math reading, and science. The Title I program for needy children has made a tremendous difference in the reading and math skills of young people. We have been reminded as a nation about the importance of furthering our efforts in math and science. And yet, Title I and other important programs will not get an increase.

The Republican budget won't even allow for an increase in Pell grants that are so crucial to helping needy college students afford to go to college. About 80 percent of the children in the highest income bracket finish college, but only about 8 percent of students in the lowest 25 percent finish college. Many of those students cannot afford to finish. But the Republicans won't help more needy students get the assistance they need.

I can remember not long ago, at the University of Massachusetts in Boston, their tuition used to be $1,100. They raised it to $1,200, and they lost 10 percent of all their applicants—$100. What is the profile of those students? Eighty-five percent of those students' parents never went to college, and 85 percent of them are working 25 hours a week, or more. One hundred dollars makes a major difference. A modest increase in the Pell grants, even an increase of $300, is a lifeline to those young people so that they can finish college and get good jobs.

All of these programs that the Republicans have rejected or frozen are paid for in the President's budget. They are paid for. But, nonetheless, we see that the Budget Committee said no—no to each one of the President's programs to try to strengthen education. Then we are faced with billions of dollars of cuts from the President's levels. And at the same time, the Republican program provides a tax break for the wealthiest individuals in this country. And for what? To help improve public education? No! To subsidize the private school tuition they already pay.

If that makes sense, then my colleagues should vote for cloture next week. But every parent in this country ought to know what is happening on education, and every parent ought to know that we are being closed down from any opportunity to debate this issue—the most important debate we are going to be facing. It is Friday afternoon. We are going to have a little time to speak here on Friday afternoon, and a only little time before the cloture vote on Tuesday. Education is a key issue and it deserves a long debate. And, it deserves the discussion of other ideas, not just one way.

Mr. President, I can't believe that as an institution and as representatives of the people we constantly talk about education but our first order of business in education is to provide a tax break of $1.6 billion that does nothing to improve public schools. This is their education program: nothing to strengthen teachers; nothing to reduce class size; nothing to modernize and rebuild schools; nothing to expand after-school programs; cutting back on the Head Start Program that provides skills for children to go into the public school system. They say that this is their answer to their education. And we are being denied the opportunity to debate it.

Mr. President, I think this is really the kind of irresponsible approach on education that really does an enormous disservice to the parents in this country. We should improve our public schools, not abandon them.

I see my good friend from Connecticut on the floor who serves on the Labor and Human Resources Committee that governs education issues, and who has been tireless in advancing the cause of education. I am wonder if he is not as perplexed by the allocation of this $1.6 billion. As I understand, the Joint Tax Committee has stated that the bill spends $1.6 billion to allocate to private schools. Of the 35.4 million public school families, only 30 percent would be able to use this IRA. And those public school families would only get an average benefit of $7—$7 per family. Of the 2.9 million who send their children to private schools, 83 percent will be able to use it. And the private school families will get an average benefit of $37.

I am just wondering if he is not as perplexed by that whole approach and that whole program—and the allocations of the benefits of this program—and whether he would agree with me that this really is a sham. When we talk about trying to strengthen academic achievement, academic accomplishment, and investment in the young people of this country in our public school system, is this what we should accept?

Mr. DODD. Mr. President, first of all let me thank my colleague from Massachusetts for joining me in speaking on this issue. With just a few hours remaining between now and Tuesday when this matter may be very well decided, the very questions he is raising may never have another opportunity to be aired and discussed—certainly not in this Congress and maybe not again for some time. So I thank him for providing a valuable opportunity to raise some tremendously important issues.

My fervent hope is that people all across this country between now and Tuesday will listen to what is going on here and will raise their voices and address the American Congress. My hope is that they will say—this is my money you are talking about, this $1.6 billion over the next 10 years that you want to go for a tax break that gives only $7 to public school parents, and maybe $37 a year to private school parents. My hope is that they will tell us clearly that this is not exactly our nation's highest priority when it comes to the education of our children. That instead we should be talking about school construction, about the need for smaller class size, about the need for early childhood education, and the need for funding for special education.

These next few days may be the only time for the remainder of this year

that we are going to have to talk about the educational priorities of this country. So I am hopeful that the questions that the Senator from Massachusetts has raised will raise the temperature of this debate. I am hopeful that the nation will focus its attention on this issue.

The education of our children is one subject matter that joins people all across the political spectrum—whether you are a conservative Republican, a liberal Democrat, or somewhere in between. Everyone in America understands that if you try to talk about making this Nation strong and vibrant in the 21st century and simultaneously fail to invest intelligently in the public educational needs of this Nation, you are engaging in hypocrisy. This Nation cannot be strong, cannot be vibrant, and cannot be a global competitor unless we are willing to make the commitment that the overwhelming majority of people in this country want to make to improve our schools and to give our children the opportunities they deserve.

I want to remind people of the numbers—they aren't terribly complicated. There are 53 million children in school today in elementary and secondary schools—53 million. Forty-eight million of them go to public schools—48 million. Five million go to private schools. Yet, this bill that we are going to be asked to vote on come Tuesday provides the lion's share of the dollars—fifty-two percent of the money—to only 5 million children and their families. These families get $37, and the kids who go to public school and their families get $7.

Do you think that taking $1.6 billion and providing people with a $7 tax break, or even a $37 tax break if your kid goes to a private school, is an intelligent investment of your money? Do you think it is the best investment given all the other needs we have—with schools falling apart in our inner cities, with special-education costs rising every year? It's not uncommon to spend $50,000 or $100,000 a year to meet the needs of one or two children who require special-education. Eighteen percent of the budget in my State for education goes to special education. Do you think that meeting these needs is a lessor priority? Do you think that reducing the average kindergarten class size from 32 kids is a lessor priority? If you do, then don't say anything over the next 72 hours, because that is what you are going to get. But if you have a sense of outrage, a sense of outrage about what you think is a misplaced priority, if you think that we ought to be doing a far better job than what this bill calls for, then we urge you to speak out.

Mr. KENNEDY. I must say that the Senator makes a powerful case. We urge those who are watching to write to their Members of the Senate. The vote is on Tuesday. Get busy and let them know that they shouldn't be voting to cut off this debate on how to support public education. We are just trying to have this debate and offer amendments on our own ideas.

I firmly believe that we should be building schools and not be building new tax shelters for the wealthy. We should be reducing the class size and not reducing aid to public schools.

But I will ask the Senator one final question on this: Does the Senator also find it extraordinary that just this past week the Budget Committee—on a party line vote—have passed a Republican budget that will cut $1.6 billion in education funding below the President's budget, to cut $1 billion below current services for education and Head Start, and to provide no funds for new teachers, smaller classrooms, or for safer, more modern school buildings? Does the Senator agree with me that last week our Republican friends cut $1.6 billion from education programs that are tried and tested and proven to be effective and helpful, and then came to the floor of U.S. Senate and said that they are really the friends of public education because the Coverdell bill to provide tax breaks to the wealthy will solve the problems in public education? Is he troubled by this juxtaposition where one day they are cutting the heart out of the public school budget and then coming onto the floor and emphasizing that their goal is to help public schools? The problem is that they can't answer the question that the money is going to private schools. And the bottom line is that if they get cloture, does the Senator agree with me that we would be seeing a significant reduction in our national commitment to the public schools of this country, if we continue to support the Coverdell bill and permit these cuts to go ahead?

Mr. DODD. The Senator from Massachusetts has said it very well. I couldn't agree with him more. The great irony, you know, is that most people do not follow the activities of the Senate budget committee. If you want your eyes to glaze over, try to follow a budget debate, whether you are talking about local, State, or national budgets. It can get pretty arcane—budget stories get buried away in the back of your local newspaper. But what the Senator from Massachusetts just told you is absolutely the truth. There was a budget agreement reached that will set the priorities for education for the coming months and years in this country. This agreement has just cut $1.6 billion out of priorities like Head Start, Title I, and Safe and Drug-Free Schools. This agreement failed to provide funding to reduce classroom size, to train teachers and to provide early education. All of these programs are being cut, and simultaneously we are being asked to provide an additional $1.6 billion in tax breaks—$7 to a public school family and $37 to a private school family—as if by doing so, we were making some great commitment to education.

I have spoken to students from every single public high school in my State in the last 10 or 12 years, and I try to make it to my inner-city public high schools every year. I spoke at Manchester High School last week, the week before at Harding, a public high school in Bridgeport, CT. I try to listen to what is going on in these schools. I have some wonderful schools in my State that have tremendous resources and great commitment by the local communities to support them. I am very excited when I go and visit those schools. I just wish I could take people with me on these visits because, unfortunately, in this country the only time we hear about public schools is when something goes wrong—when a violent act occurs or something falls apart. It is the old adage that the only planes that the media reports about are the ones that don't fly. We rarely hear about the planes that fly. And every day in this country there are teachers and students and families that are doing a terrific job in providing for the educational needs of their families.

But, I also have other schools that are not doing as well, that are suffering financially, that have encountered tremendous obstacles in trying to meet the special problems that large inner-city schools and rural schools can face. Clearly, there are needs in these schools. My concern here, as the Senator from Massachusetts has expressed, is that on Tuesday we are going to vote to limit debate, that we will not be allowed to bring up amendments that we think would offer some alternatives for meeting these needs and for creating real choices for families.

The irony of this bill is it is called a choice bill, a bill to give people choices about education. I would like the choice to represent the millions of families who think maybe the special-education needs are larger than a $7 tax break. And I have a lot of mayors and a lot of taxpayers in my communities who watch their property taxes go up because of the cost of special-educational needs. Why not give me a chance to offer an amendment that would allow this body to vote on whether or not they think that priority is higher than a $7 tax break?

How about early education needs? I would like the opportunity to offer an amendment on early childhood education. There are 13 million children every day in this country that are in child care settings. There are 5 million kids in this country who don't have anywhere to go after school. You tell me what you think is more important—that I try to do something for those 13 million kids who are in child care, much of it of appalling quality, or the 5 million children who are home alone or wandering around in malls getting involved in trouble after school? You tell me where you want your money to go—a $7 tax break or a $37 tax break if you are in a private school, or would you like to see me as your Senator put some resources into after-school care to get these kids off the street?

We would like to offer an amendment on school construction to improve the quality of public schools. We have schools falling apart across this country, as the Senator from Massachusetts has pointed out. You tell me where you want your money to go—toward improving these facilities so these kids have a decent place to learn, or do you want a $7 tax break? I happen to believe most people in this country, if given the choice to be here to vote on Tuesday, would want their tax dollars to go for things like early childhood education, school construction, classroom size, and special education.

They may differ on the priority they would give to those different issues, but I would be willing to wager that given the choice of voting for any one of those options over the choice of spending $1.6 billion over the next 10 years for a $7 tax break, they would say that those issues are higher priorities.

So I am hopeful that over this weekend and on Monday, people across this country will be heard on this issue. After Tuesday it will be too late. We won't get the chance to bring up the issue of choice again. This may be the only significant debate we are able to have on the quality of education in this country.

So the Senator from Massachusetts and I and others are taking to the floor here today to try to raise the level of awareness so that the public will know what is at stake. It is an important debate and one that should be aired fully and thoroughly. We ought to have the chance to bring up school construction, classroom size, early education, special education and other ideas. This procedural debate is over whether or not we are going to be allowed to even raise these issues, to even discuss them and ask our colleagues to vote for them.

Whether or not you agree with each and every one of these other priorities, shouldn't I be allowed to raise the concerns of my constituents? Mr. President, when I traveled across my State a few weeks ago and met with all my mayors, 169 cities and towns, and traveled to various parts of my State and asked them to tell me what they thought the priorities should be in this coming session of Congress, almost without exception, special education was on the mind of every single mayor in every town. Shouldn't I have the opportunity to raise that issue?

I have communities in my State, Mr. President, that are small communities that have small populations, and yet it is not uncommon for those people and those towns to spend $50,000 or $100,000 on the special-educational needs of a child or two children in that community. And we all understands the value of doing so.

We made a commitment years ago that the Federal Government would meet at least 40 percent of the costs of special education. But we have never contributed more than 8 percent—we have never kept our promise. So, if you said to me, What do you think is more important, what do your constituents care more about, lowering their taxes and providing some help from the Federal Government to educate a child with special needs or giving a $7 or $37 tax break? I would have to say that a $7 or $37 tax break misses the mark.

Proponents of this bill will argue that this bill will give families more choices, that it will give them the option to enroll their children in private schools. There are many fine private schools in this nation and they do provide an important choice for families. But, Mr. President, I recently took a look around the Washington, DC, area to try to determine what the cost of a private school was just in this city, northern Virginia, and Maryland. The average cost is somewhere between $10,000 and $17,000 a year. Does anyone honestly believe that a $37 tax break is going to make any difference to a family trying to make a choice whether or not to send its child to a private school or a public school—$37?

I am not making up these numbers. These numbers come from the nonpartisan Joint Tax Committee that did an analysis of this bill. And the Joint Tax Committee said that the average benefit for private school families is only $37. Where is the logic in this? Where is the logic in this, with the limited resources we have? And our resources are limited. The days are far gone and over when we could just write checks and spend money without any consideration of the fiscal implications for our Nation. Limited dollars are all we have. So with these limited dollars, what do we do with them? Do we spend $1.6 billion to give a $7 or a $37 tax break? With $1.6 billion, I may not solve every one of the issues I raised here. School construction needs top $112 billion nationwide; finding 100,000 teachers to reduce class size is expensive; early education and afterschool care is expensive; special education is expensive. I am not suggesting that the $1.6 billion would in every way solve these four problems I have mentioned, but I would rather spend $1.6 billion on improving the school facilities where we send our kids, reducing class size so the kid can learn better, reducing taxpayer costs on special education, and providing early childhood and afterschool care for families, than spend it providing a $37 tax break for someone going to a private school or a $7 tax break for someone going to a public school.

What am I missing? The math here just does not add up. We have limited resources, we have limited financial capacity, we all know this. We are being told that we have a staggering problem in the quality of school facilities. We have a significant problem in special education. We have a significant problem in early education and afterschool needs in this country. We have a significant problem in the size of classrooms. Everyone understands these are legitimate problems. So, do I take that $1.6 billion and try to do something about school construction, special ed, class size, and early education and afterschool care, among others?

Mr. President, over the next few days there will be a lot of TV talk shows about other issues that seem to have captured the attention of the American public. It will be interesting to see, come Sunday, whether the national talk shows think that the quality of the education of our children is of interest to the public. Even if you disagree with me on where our educational priorities should be, I expect you would agree that this would be healthier debate to have on national TV shows—about what we ought to be doing with our tax dollars and educational system—than what I suspect will be the topic of some of the talk shows.

But without debate and without the discussion, this notion of choice will be lost. I am not going to have the choice on Tuesday, as it stands right now, to offer any of the ideas that I have raised here today. I think I ought to have that right, as one Member of this body. I think my constituency in Connecticut cares, at the very least as much and I would argue significantly more, about special education, early education, school construction and class size as they do whether or not someone gets a $37 or a $7 tax break or a $7 tax break. I think they care about these issues. Even the ones who disagree with me, I wager, Mr. President, think I ought to have the right to raise them and ask the 99 other Members of this body whether or not they want to vote for these ideas or against them.

But as it stands right now, I am going to be denied that opportunity. That may be the only opportunity this year to raise these issues in a meaningful debate. We spent 5 days here discussing whether or not we should to name the national airport for Ronald Reagan. I voted for this proposal. But to spend five days—five days—on whether or not to rename an airport and then to be told I cannot get an hour on an education bill to talk about school construction. I do not get 5 minutes to talk about early education and afterschool care. I don't get 5 minutes to talk about special education. But I get 5 days to talk about whether or not we rename an airport. You tell me what the priorities are around here.

If you wonder why I am frustrated and sound a little angry, it is because I am, because I hear people all across this country saying education is key to our nation's future. This country cannot meet its obligations and the challenges in front of it unless our young people get a proper education. And 53 million of them are sitting today in a classroom studying and trying to learn, with teachers who are trying to help them, and parents who are worried about them. I do not understand how we think we are going to convince them we are doing something worthwhile in giving a private-school child a $37 tax break and a public-school child

a $7 tax break. That is what this debate comes down to.

I plead with the public, please let your Members know that at the very least you think these ideas ought to be raised for debate and discussion and we ought to have the right to decide in a democratic fashion whether or not their votes, representing your ideas, are going to be cast in favor of a tax break for a few or trying to do something with that $1.6 billion that could affect the quality of public education in this country for years to come.

I urge you over this weekend, and I urge the media, to spend at least as much time between now and Monday venting this issue as we have on an issue that, frankly, has very little to do with the quality of life in this country. We need that kind of debate. We need the opportunity to cast some votes that offer real choices—real choices—about the educational priorities of this country.

CONNECTICUT'S NCAA TOURNAMENT WIN

Mr. DODD. Mr. President, on a happier note, I was up until about 12:30 this morning, along with some other people from the Nutmeg State. It was not Minnesota that we were facing on a wooden floor in Greensboro, NC, but it was a dogfight—Huskies versus Huskies, the University of Washington versus the University of Connecticut basketball team. I know none of these young people I see here today were up that late. They were studying very hard, if they were up that late.

The March Madness that we talked about last night watched Richard Hamilton, with zero time left on the clock, fade back and, over the outstretched arms of a 7-foot center from the University of Washington, hit a shot that was nothing but net.

I know I speak for all 3.5 million people in Connecticut when I say we are proud of our Connecticut Huskies and the job they did. If Senator HELMS and Senator FAIRCLOTH, my colleagues from North Carolina, were here, I would challenge them, because on Saturday we are going to beat that No. 1 team and go to the Final Four in San Antonio, TX.

Mr. President, I yield the floor. I see the distinguished Senator from West Virginia.

Mr. BYRD. Mr. President, I thank the distinguished Senator. What is the business before the Senate, Mr. President?

The PRESIDING OFFICER. The Senate is now in executive session. The pending business is the Resolution of Ratification to accompany the Protocols to the North Atlantic Treaty of 1949 and the accession of Poland, Hungary, and the Czech Republic.

Mr. BYRD. I thank the Chair.

Mr. President, I ask unanimous consent that I may speak out of order as in legislative session.

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

ON SPRING

Mr. BYRD. Mr. President, a great poet of the last century, William Wordsworth, wrote a famous piece of poetry which schoolchildren ought to memorize. They used to memorize it. It begins:

I wandered lonely as a cloud
That floats on high o'er vales and hills,
When all at once I saw a crowd,
A host, of golden daffodils;
Beside the lake, beneath the trees,
Fluttering and dancing in the breeze.

Continuous as the stars that shine
And twinkle in the milky way,
They stretched in never-ending line
Along the margin of a bay;
Ten thousand saw I at a glance,
Tossing their heads in sprightly dance.

* * * * *

For oft, when on my couch I lie
In vacant or in pensive mood,
They flash upon that inward eye
Which is the bliss of solitude;
And then my heart with pleasure fills,
And dances with the daffodils.

Wordsworth surely wrote those lines thinking, of course, of spring and perhaps of March, for again this March, the crisp brown leaves of winter are scattering before the blustery winds, and the daffodils are dancing in the breeze. And like those bright heralds of spring, I come to the floor today to celebrate today's vernal equinox, that celestial marker of winter's end and the beginning of perhaps the most blessed season of the earth's awakening. The dark, cold days of winter may now be safely said to be behind us and we may all begin to think optimistically about shedding our somber coats of wool, our bulky cocoon of hats, gloves, and scarves.

This winter has had more than the usual share of dreary, wet days in the Washington area. Locales more accustomed to winter and to winter's suntans have borne the psychic weight of day after day after day of unrelenting rain, of 3 months of steady downpour, floods, and mudslides. The mountains of my own West Virginia shouldered aside cold winds that left her ancient hollows heaped with snow—white, cold snow—that otherwise might have fallen on Washington, sheltering us in warmer air that caused flooding rains instead. There is hardly a spot in the nation that has escaped some abnormal weather occurrence, be it flood, freeze, gale, or tornado. I am sure that everyone joins me in welcoming the fading of El Niño's influence over the global weather patterns, but it will be a while before things return to normal. In the Senate, we have begun the recovery from winter's chilly wrath with the consideration of an emergency supplemental appropriations bill that will help to repair the worst of the nation's weather-spawned disasters.

But just when we begin to doubt that the sun will ever replace automobile headlights as the main source of illumination on our commutes to and from work, the morning brightens to reveal long skeins of Canada geese again filling the sky with their sweet music as they wing their way back northward. The robins, returned to our lawns again, search out worms in the warming earth, and the bluebirds busy themselves with nest building.

I asked the robin, as he sprang
From branch to branch and sweetly sang.
What made his breast so round and red;
Twas "looking at the sun," he said.

The forsythia joins the crocus and daffodils in painting watercolor washes of lavender and yellow across lawns and roadsides. Spring's pale buds are peeping out from under the somber skirts of winter, giving hope on every tree and bulb. The annual pageant of the cherry blossoms cannot be far behind.

Mr. President, I admit to being no great fan of winter. I had all of the snow—all of the snow that I ever cared for when I was a boy, walking through the hills and mountains and hollows of West Virginia. Neither I nor my little dog, Billy, truly enjoys making our round of the neighborhood in the cold and lonely evenings of winter. I do not like to travel on wet or icy roads, on days so gray that the dawn seems to fade seamlessly into dusk, when snow or sleet drives sideways into the windshield—no, I would rather be hibernating in a comfortable chair with a good book, thank you. Not the trash that one finds on the book stands at the airports, but a truly good book written by Emerson or Carlyle.

And the beauty of the winter landscape is for me too austere, all shades of gray, brown, white, and black, dull after the scarlet and bronze riot of the fall. Give me instead the cheerful chaos of spring, with its stained glass window of colors, its energy, and its great sense of purpose.

I asked the violets, sweet and blue,
Sparkling in the morning dew,
Whence came their colors, then so shy;
They answered, "looking to the sky";

* * * * *

I asked the thrush, whose silvery note
Came like a song from angel's throat,
Why he sang in the twilight dim;
He answered, "looking up at Him."

So give me dew, instead of frost, on the grass in the morning, and thunderstorms instead of blizzards in the afternoons. And fill my evening sky with fireflies, not icy, twinkling stars. Let me feel the cool breeze from the West Virginia hills on my face while the sun warms my back, and let me listen to the cheerful cacophony of frogs while I spade up sweet garden soil in which I shall soon plant my tomatoes—my tomatoes—Big Boy or Better Boy or Beefsteak—whatever. I see our Presiding Officer, who comes from the hills and lakes of Minnesota, smiling. He, too, is thinking of spring.

Spring is a season for all the senses, a season savored all the more fully because it follows the season of greatest limits. Oh, give me the season so loved by poets, by Wordsworth.

Having begun with one great poet, perhaps it is only fitting that I close with another, whose life overlapped the

first. Robert Browning surely appreciated the mysteries and the joys of spring. As a poet must do if his works are to stand the test of time, he has distilled a deep feeling, the abiding joy and contentment in the Creator's handiwork, and decanted it in words of pure and simple beauty:

The year's at the spring,
And day's at the morn,
Morning's at seven;
The hill-side's dew-pearled;
The lark's on the wing;
The snail's on the thorn:

God's in his heaven—[and]
All's right with the world!

The vernal equinox is at hand, Mr. President, tolling its celestial chime of spring. Oh, welcome, spring! What a difference it makes. At the thought of spring, again to the words of William Wordsworth, ''And then my heart with pleasure fills, and dances with the daffodils.''

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. KYL). Without objection, it is so ordered.

Mr. GRAMS. Mr. President, I ask unanimous consent to speak as in morning business for up to 5 minutes.

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

Mr. GRAMS. Thank you very much.

RECOGNITION OF NATIONAL AGRICULTURE WEEK

Mr. GRAMS. Mr. President, I rise this afternoon just briefly to recognize National Agriculture Week. It is no secret that America's farmers are the most productive in the world, and it is so appropriate that we take a few moments to recognize their many, many contributions.

Agriculture is traditionally viewed as small family farms producing for a regional market. Local grain elevators, shipping interests, processors, banks, and consumers are all vital components in meeting the demands of a continually changing domestic and world market.

From the grocery store in Minneapolis to the rural implement dealer, each of us has an interest in ensuring a vibrant agricultural economy. But the foundation remains the individual producer. These are families who rise each morning and labor into the night to provide each of us the food we eat. These independent-minded individuals are heavy on common sense, and they are not predisposed to taking short cuts or pat answers.

Without a doubt, some of the best advice I receive comes from the savvy business men and women who are commonly called ''farmers.''

I was raised on an old-fashioned dairy farm in rural Minnesota. I know firsthand the hard work and dedication that it takes to do a job that is often overlooked and unrecognized.

However, a farmer's responsibility goes far beyond producing a crop or making sure that the cows are milked. To ensure continued productivity, he also must be an environmental steward of the land that he cultivates. In many cases, this leads to lower fertilizer inputs and enhanced wildlife habitat.

Mr. President, the last few years have brought about some great changes in agriculture. The 1996 farm bill was a step, I believe, in the right direction, yet the job is not yet finished. If farmers are to produce for the marketplace, we must give them the tools they need to manage their operations.

This includes addressing such issues as regulatory reform, risk-management options, and Federal crop insurance reforms. By providing farmers with the flexibility to manage their own businesses, we are ensuring a better future for everyone.

In an effort to produce for changing markets, groups of farmers across Minnesota are exploring ways to enhance their income and productivity through value-added ventures and cooperative research agreements.

It is this spirit of innovation that should be encouraged and not stifled by the heavy hand of Government. These farmers are the leaders of tomorrow who will ensure a safe and steady food supply for America and the world well into the next century.

So in short, Mr. President, we owe all those involved in agriculture a debt of gratitude, and I am very proud to join my colleagues in recognizing the outstanding contributions of America's agricultural sector.

With that, Mr. President, I thank you and yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. LOTT. Mr. President, I ask unanimous consent that there now be a period of morning business with Senators permitted to speak for up to 5 minutes each.

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

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Thursday, March 19, 1998, the federal debt stood at $5,537,630,079,097.83 (Five trillion, five hundred thirty-seven billion, six hundred thirty million, seventy-nine thousand, ninety-seven hundred dollars and eighty-three cents).

One year ago, March 19, 1997, the federal debt stood at $5,369,097,000,000 (Five trillion, three hundred sixty-nine billion, ninety-seven million).

Five years ago, March 19, 1993, the federal debt stood at $4,216,608,000,000 (Four trillion, two hundred sixteen billion, six hundred eight million).

Twenty-five years ago, March 19, 1973, the federal debt stood at $456,926,000,000 (Four hundred fifty-six billion, nine hundred twenty-six million) which reflects a debt increase of more than $5 trillion—$5,080,604,079,097.83 (five trillion, eighty billion, six hundred and four million, seventy-nine thousand, ninety-seven dollars and eighty-three cents) during the past 25 years.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting a treaty which was referred to the Committee on Foreign Relations.

MEASURES REFERRED

The following bill, previously received from the House of Representatives for the concurrence of the Senate, was read twice, and referred as indicated:

H.R. 2294. An act to make improvements in the operation and administration of the Federal courts, and for other purposes; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DOMENICI, from the Committee on the Budget, without amendment:

S. Con. Res. 86. An original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 1999, 2000, 2001, 2002, and 2003 and revising the concurrent resolution on the budget for fiscal year 1998 (Rept. No. 105–170).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. WYDEN (for himself and Mr. SMITH of Oregon):

S. 1807. A bill to transfer administrative jurisdiction over certain parcels of public domain land in Lake County, Oregon, to facilitate management of the land, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. REED (for himself, Mr. KENNEDY, and Mrs. MURRAY):

S. 1808. A bill to amend title XXVII of the Public Health Service Act and part 7 of subtitle B of title I of the Employee Retirement

Income Security Act of 1974 to establish standards for the health quality improvement of children in managed care plans and other health plans; to the Committee on Labor and Human Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DOMENICI:

S. Con. Res. 86. An original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 1999, 2000, 2001, 2002, and 2003 and revising the concurrent resolution on the budget for fiscal year 1998; from the Committee on the Budget; placed on the calendar.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself, Mr. KENNEDY, and Mrs. MURRAY):

S. 1808. A bill to amend title XXVII of the Public Health Service Act and part 7 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 to establish standards for the health quality improvement of children in managed care plans and other health plans; to the Committee on Labor and Human Resources.

THE CHIDREN'S HEALTH INSURANCE ACCOUNTABILITY ACT OF 1998

Mr. REED. Children should not be left out of the health care quality debate. I rise today to introduce legislation that provides common sense consumer protections for children in managed care. I am pleased that Senators KENNEDY and MURRAY are cosponsors of this legislation.

Not one of us can deny that managed care plays a valid role in our health care system. Managed care's emphasis on preventive care has benefits for young and old alike. And HMOs have resulted in lower co-payments for consumers and higher immunization rates for our children. But all too often these days we read a story in the paper about a child whose unique health care needs have not been met.

While the problems are clear, it is difficult to say how big a problem we have on our hands. However, the anecdotal evidence is overwhelming. And when it comes to our children, we should not take risks.

While there has not been a great deal of child-specific research in this area, one recent study by Elizabeth Jameson at the University of California compared the experiences of chronically ill children in California's Medicaid program to those in private managed care. There was an interesting irony in the study's findings—low income children in public programs receive age appropriate care that is consistent with recognized clinical guidelines, while those in private health plans often do not.

The study also found that: some managed care plans impose restrictions on referrals to pediatric specialists and subspecialists for children with complex conditions; and, an increasing number of providers in managed care plans are attempting to treat complex pediatric conditions for which they have little experience.

The bill I am introducing is an attempt to address these issues by providing common sense protections for children in managed care. It is this simple: if we don't have health plan standards, there's no guarantee that we are providing adequate care for our children.

Our bill, The Children's Health Insurance Accountability Act, provides common sense protections for children in managed care plans—protections regarding access, appeals and accountability. These protections include: access to necessary pediatric services; appeal rights that address the special needs of children, such as an expedited review if the child's life or development is in jeopardy; quality programs that measure health outcomes unique to children; utilization review rules that are specific to children with evaluation from those with pediatric expertise; and child-specific information requirements that will help parents and employers choose health plans on the basis of care provided to children.

Mr. President, there is overwhelming public support for the ideas embodied in this legislation. According to a February 1998 survey by Lake Sosin Snell Perry and Associates and the Tarrance Group, 89 percent of adults surveyed favor having ''Congress require HMO's and other insurance companies to allow parents to choose a pediatrician as their child's primary care physician.'' And 90 percent favor having ''Congress require HMO's and other insurance companies to allow parents of children with special health care needs, like cerebral palsy, cystic fibrosis, or severe asthma, to choose a pediatric specialist to be their child's primary care physician.'' The poll also shows that people are willing to pay additional premiums adequate protections for children.

I am pleased that this legislation has the support of many groups, including the National Association of Childrens Hospitals, the American Academy of Pediatricians, the Childrens Defense Fund, Families USA, the National Organization of Rare Diseases, The Arc of the United States, Service Employees International Union, American Federation of State, County and Municipal Employees, the Association of Maternal and Child Health Programs, the National Mental Health Association, the American Academy of Child and Adolescent Psychiatry, the American Psychiatric Association, and the American College of Emergency Room Physicians.

Mr. President, the time is now for Congress to act. I urge my colleagues to join us in cosponsoring this bill, and to pass comprehensive managed care legislation that meets the needs of all of our citizens, including our children.

Mr. President, I ask unanimous consent that the text of the bill and a summary be printed in the RECORD.

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

S. 1808

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 ''Children's Health Insurance Accountability Act of 1998''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Children have health and development needs that are markedly different than those for the adult population.

(2) Children experience complex and continuing changes during the continuum from birth to adulthood in which appropriate health care is essential for optimal development.

(3) The vast majority of work done on development methods to assess the effectiveness of health care services and the impact of medical care on patient outcomes and patient satisfaction has been focused on adults.

(4) Health outcome measures need to be age, gender, and developmentally appropriate to be useful to families and children.

(5) Costly disorders of adulthood often have their origins in childhood, making early access to effective health services in childhood essential.

(6) More than 200 chronic conditions, disabilities and diseases affect children, including asthma, diabetes, sickle cell anemia, spina bifida, epilepsy, autism, cerebral palsy, congenital heart disease, mental retardation, and cystic fibrosis. These children need the services of specialists who have indepth knowledge about their particular condition.

(7) Children's patterns of illness, disability and injury differ dramatically from adults.

SEC. 2. AMENDMENTS TO THE PUBLIC HEALTH SERVICE ACT.

(a) PATIENT PROTECTION STANDARDS.—Title XXVII of the Public Health Service Act is amended—

(1) by redesignating part C as part D; and

(2) by inserting after part B the following new part:

''PART C—CHILDREN'S HEALTH PROTECTION STANDARDS

''SEC. 2770. ACCESS TO CARE.

''(a) ACCESS TO APPROPRIATE PRIMARY CARE PROVIDERS.—

''(1) 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 an enrollee to designate a participating primary care provider for a child of such enrollee—

''(A) the plan or issuer shall permit the enrollee to designate a physician who specializes in pediatrics as the child's primary care provider; and

''(B) if such an enrollee has not designated such a provider for the child, the plan or issuer shall consider appropriate pediatric expertise in mandatorily assigning such an enrollee to a primary care provider.

''(2) CONSTRUCTION.—Nothing in paragraph (1) shall waive any requirements of coverage relating to medical necessity or appropriations with respect to coverage of services.

''(b) ACCESS TO PEDIATRIC SPECIALITY SERVICES.—

''(1) REFERRAL TO SPECIALITY CARE FOR CHILDREN REQUIRING TREATMENT BY SPECIALISTS.—

''(A) IN GENERAL.—In the case of a child who is covered under a group health plan, or

health insurance coverage offered by a health insurance issuer and who has a mental or physical condition, disability, or disease of sufficient seriousness and complexity to require diagnosis, evaluation or treatment by a specialist, the plan or issuer shall make or provide for a referral to a specialist who has extensive experience or training, and is available and accessible to provide the treatment for such condition or disease, including the choice of a nonprimary care physician specialist participating in the plan or a referral to a nonparticipating provider as provided for under subparagraph (D) if such a provider is not available within the plan.

''(B) SPECIALIST DEFINED.—For purposes of this subsection, the term 'specialist' means, with respect to a condition, disability, or disease, a health care practitioner, facility, or center (such as a center of excellence) that has extensive pediatric expertise through appropriate training or experience to provide high quality care in treating the condition.

''(C) REFERRALS TO PARTICIPATING PROVIDERS.—A plan or issuer is not required under subparagraph (A) to provide for a referral to a specialist that is not a participating provider, unless the plan or issuer does not have an appropriate specialist that is available and accessible to treat the enrollee's condition and that is a participating provider with respect to such treatment.

''(D) TREATMENT OF NONPARTICIPATING PROVIDERS.—If a plan or issuer refers a child enrollee to a nonparticipating specialist, services provided pursuant to the referral shall be provided at no additional cost to the enrollee beyond what the enrollee would otherwise pay for services received by such a specialist that is a participating provider.

''(E) SPECIALISTS AS PRIMARY CARE PROVIDERS.—A plan or issuer shall have in place a procedure under which a child who is covered under health insurance coverage provided by the plan or issuer who has a condition or disease that requires specialized medical care over a prolonged period of time shall receive a referral to a pediatric specialist affilated with the plan, or if not available within the plan, to a nonparticipating provider for such condition and such specialist may be responsible for and capable of providing and coordinating the child's primary and specialty care.

''(2) STANDING REFERRALS.—

''(A) IN GENERAL.—A group health plan, or health insurance issuer in connection with the provision of health insurance coverage of a child, shall have a procedure by which a child who has a condition, disability, or disease that requires ongoing care from a specialist may request and obtain a standing referral to such specialist for treatment of such condition. If the primary care provider in consultation with the medical director of the plan or issuer and the specialist (if any), determines that such a standing referral is appropriate, the plan or issuer shall authorize such a referral to such a specialist. Such standing referral shall be consistent with a treatment plan.

''(B) TREATMENT PLANS.—A group health plan, or health insurance issuer, with the participation of the family and the health care providers of the child, shall develop a treatment plan for a child who requires ongoing care that covers a specified period of time (but in no event less than a 6-month period). Services provided for under the treatment plan shall not require additional approvals or referrals through a gatekeeper.

''(C) TERMS OF REFERRAL.—The provisions of subparagraph (C) and (D) of paragraph (1) shall apply with respect to referrals under subparagraph (A) in the same manner as they apply to referrals under paragraph (1)(A).

''(c) ADEQUACY OF ACCESS.—For purposes of subsections (a) and (b), a group health plan or health insurance issuer in connection with health insurance coverage shall ensure that a sufficient number, distribution, and variety of qualified participating health care providers are available so as to ensure that all covered health care services, including specialty services, are available and accessible to all enrollees in a timely manner.

''(d) COVERAGE OF EMERGENCY SERVICES.—

''(1) IN GENERAL.—If a group health plan, or health insurance coverage offered by a health insurance issuer, provides any benefits for children with respect to emergency services (as defined in paragraph (2)(A)), the plan or issuer shall cover emergency services furnished under the plan or coverage—

''(A) without the need for any prior authorization determination;

''(B) whether or not the physician or provider furnishing such services is a participating physician or provider with respect to such services; and

''(C) without regard to any other term or condition of such coverage (other than exclusion of benefits, or an affiliation or waiting period, permitted under section 2701).

''(2) DEFINITIONS.—In this subsection:

''(A) EMERGENCY MEDICAL CONDITION BASED ON PRUDENT LAYPERSON STANDARD.—The term 'emergency medical condition' means a medical condition manifesting itself by acute symptoms of sufficient severity (including severe pain) such that a prudent layperson, who possesses an average knowledge of health and medicine, could reasonably expect the absence of immediate medical attention to result in a condition described in clause (i), (ii), or (iii) of section 1867(e)(1)(A) of the Social Security Act.

''(B) EMERGENCY SERVICES.—The term 'emergency services' means—

''(i) a medical screening examination (as required under section 1867 of the Social Security Act) that is within the capability of the emergency department of a hospital, including ancillary services routinely available to the emergency department to evaluate an emergency medical condition (as defined in subparagraph (A)); and

''(ii) within the capabilities of the staff and facilities available at the hospital, such further medical examination and treatment as are required under section 1867 of such Act to stabilize the patient.

''(3) REIMBURSEMENT FOR MAINTENANCE CARE AND POST-STABILIZATION CARE.—A group health plan, and health insurance issuer offering health insurance coverage, shall provide, in covering services other than emergency services, for reimbursement with respect to services which are otherwise covered and which are provided to an enrollee other than through the plan or issuer if the services are maintenance care or post-stabilization care covered under the guidelines established under section 1852(d) of the Social Security Act (relating to promoting efficient and timely coordination of appropriate maintenance and post-stabilization care of an enrollee after an enrollee has been determined to be stable).

''(e) PROHIBITION ON FINANCIAL BARRIERS.—A health insurance issuer in connection with the provision of health insurance coverage may not impose any cost sharing for pediatric specialty services provided under such coverage to enrollee children in amounts that exceed the cost-sharing required for other specialty care under such coverage.

''(f) CHILDREN WITH SPECIAL HEALTH CARE NEEDS.—A health insurance issuer in connection with the provision of health insurance coverage shall ensure that such coverage provides special consideration for the provision of services to enrollee children with special health care needs. Appropriate procedures shall be implemented to provide care for children with special health care needs. The development of such procedures shall include participation by the families of such children.

''(g) DEFINITIONS.—In this part:

''(1) CHILD.—The term 'child' means an individual who is under 19 years of age.

''(2) CHILDREN WITH SPECIAL HEALTH CARE NEEDS.—The term 'children with special health care needs' means those children who have or are at elevated risk for chronic physical, developmental, behavioral or emotional conditions and who also require health and related services of a type and amount not usually required by children.

"SEC. 2771. CONTINUITY OF CARE.

''(a) IN GENERAL.—If a contract between a health insurance issuer, in connection with the provision of health insurance coverage, and a health care provider is terminated (other than by the issuer for failure to meet applicable quality standards or for fraud) and an enrollee is undergoing a course of treatment from the provider at the time of such termination, the issuer shall—

''(1) notify the enrollee of such termination, and

''(2) subject to subsection (c), permit the enrollee to continue the course of treatment with the provider during a transitional period (provided under subsection (b)).

''(b) TRANSITIONAL PERIOD.—

''(1) IN GENERAL.—Except as provided in paragraphs (2) through (4), the transitional period under this subsection shall extend for at least—

''(A) 60 days from the date of the notice to the enrollee of the provider's termination in the case of a primary care provider, or

''(B) 120 days from such date in the case of another provider.

''(2) INSTITUTIONAL CARE.—The transitional period under this subsection for institutional or inpatient care from a provider shall extend until the discharge or termination of the period of institutionalization and shall include reasonable follow-up care related to the institutionalization and shall also include institutional care scheduled prior to the date of termination of the provider status.

''(3) PREGNANCY.—If—

''(A) an enrollee has entered the second trimester of pregnancy at the time of a provider's termination of participation, and

''(B) the provider was treating the pregnancy before date of the termination,

the transitional period under this subsection with respect to provider's treatment of the pregnancy shall extend through the provision of post-partum care directly related to the delivery.

''(4) TERMINAL ILLNESS.—

''(A) IN GENERAL.—If—

''(i) an enrollee was determined to be terminally ill (as defined in subparagraph (B)) at the time of a provider's termination of participation, and

''(ii) the provider was treating the terminal illness before the date of termination,

the transitional period under this subsection shall extend for the remainder of the enrollee's life for care directly related to the treatment of the terminal illness.

''(B) DEFINITION.—In subparagraph (A), an enrollee is considered to be 'terminally ill' if the enrollee has a medical prognosis that the enrollee's life expectancy is 6 months or less.

''(c) PERMISSIBLE TERMS AND CONDITIONS.—An issuer may condition coverage of continued treatment by a provider under subsection (a)(2) upon the provider agreeing to the following terms and conditions:

''(1) The provider agrees to continue to accept reimbursement from the issuer at the rates applicable prior to the start of the transitional period as payment in full.

''(2) The provider agrees to adhere to the issuer's quality assurance standards and to provide to the issuer necessary medical information related to the care provided.

''(3) The provider agrees otherwise to adhere to the issuer's policies and procedures, including procedures regarding referrals and obtaining prior authorization and providing services pursuant to a treatment plan approved by the issuer.

''SEC. 2772. CONTINUOUS QUALITY IMPROVEMENT.

''(a) IN GENERAL.—A health insurance issuer that offers health insurance coverage for children shall establish and maintain an ongoing, internal quality assurance program that at a minimum meets the requirements of subsection (b).

''(b) REQUIREMENTS.—The internal quality assurance program of an issuer under subsection (a) shall—

''(1) establish and measure a set of health care, functional assessments, structure, processes and outcomes, and quality indicators that are unique to children and based on nationally accepted standards or guidelines of care;

''(2) maintain written protocols consistent with recognized clinical guidelines or current consensus on the pediatric field, to be used for purposes of internal utilization review, with periodic updating and evaluation by pediatric specialists to determine effectiveness in controlling utilization;

''(3) provide for peer review by health care professionals of the structure, processes, and outcomes related to the provision of health services, including pediatric review of pediatric cases;

''(4) include in member satisfaction surveys, questions on child and family satisfaction and experience of care, including care to children with special needs;

''(5) monitor and evaluate the continuity of care with respect to children;

''(6) include pediatric measures that are directed at meeting the needs of at-risk children and children with chronic conditions, disabilities and severe illnesses;

''(7) maintain written guidelines to ensure the availability of medications appropriate to children;

''(8) use focused studies of care received by children with certain types of chronic conditions and disabilities and focused studies of specialized services used by children with chronic conditions and disabilities;

''(9) monitor access to pediatric specialty services; and

''(10) monitor child health care professional satisfaction.

''(c) UTILIZATION REVIEW ACTIVITIES.—

''(1) COMPLIANCE WITH REQUIREMENTS.—

''(A) IN GENERAL.—A health insurance issuer that offers health insurance coverage for children shall conduct utilization review activities in connection with the provision of such coverage only in accordance with a utilization review program that meets at a minimum the requirements of this subsection.

''(B) DEFINITIONS.—In this subsection:

''(i) CLINICAL PEERS.—The term 'clinical peer' means, with respect to a review, a physician or other health care professional who holds a non-restricted license in a State and in the same or similar specialty as typically manages the pediatric medical condition, procedure, or treatment under review.

''(ii) HEALTH CARE PROFESSIONAL.—The term 'health care professional' means a physician or other health care practitioner licensed or certified under State law to provide health care services and who is operating within the scope of such licensure or certification.

''(iii) UTILIZATION REVIEW.—The terms 'utilization review' and 'utilization review activities' mean procedures used to monitor or evaluate the clinical necessity, appropriateness, efficacy, or efficiency of health care services, procedures or settings for children, and includes prospective review, concurrent review, second opinions, case management, discharge planning, or retrospective review specific to children.

''(2) WRITTEN POLICIES AND CRITERIA.—

''(A) WRITTEN POLICIES.—A utilization review program shall be conducted consistent with written policies and procedures that govern all aspects of the program.

''(B) USE OF WRITTEN CRITERIA.—A utilization review program shall utilize written clinical review criteria specific to children and developed pursuant to the program with the input of appropriate physicians, including pediatricians, nonprimary care pediatric specialists, and other child health professionals.

''(C) ADMINISTRATION BY HEALTH CARE PROFESSIONALS.—A utilization review program shall be administered by qualified health care professionals, including health care professionals with pediatric expertise who shall oversee review decisions.

''(3) USE OF QUALIFIED, INDEPENDENT PERSONNEL.—

''(A) IN GENERAL.—A utilization review program shall provide for the conduct of utilization review activities only through personnel who are qualified and, to the extent required, who have received appropriate pediatric or child health training in the conduct of such activities under the program.

''(B) PEER REVIEW OF ADVERSE CLINICAL DETERMINATIONS.—A utilization review program shall provide that clinical peers shall evaluate the clinical appropriateness of adverse clinical determinations and divergent clinical options.

''SEC. 2773. APPEALS AND GRIEVANCE MECHANISMS FOR CHILDREN.

''(a) INTERNAL APPEALS PROCESS.—A health insurance issuer in connection with the provision of health insurance coverage for children shall establish and maintain a system to provide for the resolution of complaints and appeals regarding all aspects of such coverage. Such a system shall include an expedited procedure for appeals on behalf of a child enrollee in situations in which the time frame of a standard appeal would jeopardize the life, health, or development of the child.

''(b) EXTERNAL APPEALS PROCESS.—A health insurance issuer in connection with the provision of health insurance coverage for children shall provide for an independent external review process that meets the following requirements:

''(1) External appeal activities shall be conducted through clinical peers, a physician or other health care professional who is appropriately credentialed in pediatrics with the same or similar specialty and typically manages the condition, procedure, or treatment under review or appeal.

''(2) External appeal activities shall be conducted through an entity that has sufficient pediatric expertise, including subspeciality expertise, and staffing to conduct external appeal activities on a timely basis.

''(3) Such a review process shall include an expedited procedure for appeals on behalf of a child enrollee in which the time frame of a standard appeal would jeopardize the life, health, or development of the child.

''SEC. 2774. ACCOUNTABILITY THROUGH DISTRIBUTION OF INFORMATION.

''(a) IN GENERAL.—A health insurance issuer in connection with the provision of health insurance coverage for children shall submit to enrollees (and prospective enrollees), and make available to the public, in writing the health-related information described in subsection (b).

''(b) INFORMATION.—The information to be provided under subsection (a) shall include a report of measures of structures, processes, and outcomes regarding each health insurance product offered to participants and dependents in a manner that is separate for both the adult and child enrollees, using measures that are specific to each group.''.

''(b) APPLICATION TO GROUP HEALTH INSURANCE COVERAGE.—

''(1) IN GENERAL.—Subpart 2 of part A of title XXVII of the Public Health Service Act is amended by adding at the end the following new section:

''SEC. 2706. CHILDREN'S HEALTH ACCOUNTABILITY STANDARDS.

''(a) IN GENERAL.—Each health insurance issuer shall comply with children's health accountability requirement under part C with respect to group health insurance coverage it offers.

''(b) ASSURING COORDINATION.—The Secretary of Health and Human Services and the Secretary of Labor shall ensure, through the execution of an interagency memorandum of understanding between such Secretaries, that—

''(1) regulations, rulings, and interpretations issued by such Secretaries relating to the same matter over which such Secretaries have responsibility under part C (and this section) and section 713 of the Employee Retirement Income Security Act of 1974 are administered so as to have the same effect at all times; and

''(2) coordination of policies relating to enforcing the same requirements through such Secretaries in order to have a coordinated enforcement strategy that avoids duplication of enforcement efforts and assigns priorities in enforcement.''.

(2) CONFORMING AMENDMENT.—Section 2792 of the Public Health Service Act (42 U.S.C. 300gg—92) is amended by inserting ''and section 2706(b)'' after ''of 1996''.

(c) APPLICATION TO INDIVIDUAL HEALTH INSURANCE COVERAGE.—Part B of title XXVII of the Public Health Service Act is amended by inserting after section 2751 the following new section:

''SEC. 2752. CHILDREN'S HEALTH ACCOUNTABILITY STANDARDS.

''Each health insurance issuer shall comply with children's health accountability requirements under part C with respect to individual health insurance coverage it offers.''.

(d) MODIFICATION OF PREEMPTION STANDARDS.—

(1) GROUP HEALTH INSURANCE COVERAGE.—Section 2723 of the Public Health Service Act (42 U.S.C. 300gg–23) is amended—

(A) in subsection (a)(1), by striking ''subsection (b)'' and inserting ''subsection (b) and (c)'';

(B) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(C) by inserting after subsection (b) the following new subsection:

''(c) SPECIAL RULES IN CASE OF CHILDREN'S HEALTH ACCOUNTABILITY REQUIREMENTS.—Subject to subsection (a)(2), the provisions of section 2706 and part C, and part D insofar as it applies to section 2706 or part C, shall not prevent a State from establishing requirements relating to the subject matter of such provisions so long as such requirements are at least as stringent on health insurance issuers as the requirements imposed under such provisions.''.

(2) INDIVIDUAL HEALTH INSURANCE COVERAGE.—Section 2762 of the Public Health Service Act (42 U.S.C. 300gg–62), as added by section 605(b)(3)(B) of Public Law 104–204, is amended—

(A) in subsection (a), by striking ''subsection (b), nothing in this part'' and inserting ''subsections (b) and (c)'', and

(B) by adding at the end the following new subsection:

''(c) SPECIAL RULES IN CASE OF CHILDREN'S HEALTH ACCOUNTABILITY REQUIREMENTS.—Subject to subsection (b), the provisions of section 2752 and part C, and part D insofar as it applies to section 2752 or part C, shall not prevent a State from establishing requirements relating to the subject matter of such provisions so long as such requirements are at least as stringent on health insurance issuers as the requirements imposed under such section.''.

SEC. 3. AMENDMENTS TO THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.

(a) IN GENERAL.—Subpart B of part 7 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 is amended by adding at the end the following:

''SEC. 713. CHILDREN'S HEALTH ACCOUNTABILITY STANDARDS.

''(a) IN GENERAL.—Subject to subsection (b), the provisions of part C of title XXVII of the Public Health Service Act shall apply under this subpart and part to a group health plan (and group health insurance coverage offered in connection with a group health plan) as if such part were incorporated in this section.

''(b) APPLICATION.—In applying subsection (a) under this subpart and part, and reference in such part C—

''(1) to health insurance coverage is deemed to be a reference only to group health insurance coverage offered in connection with a group health plan and to also be a reference to coverage under a group health plan;

''(2) to a health insurance issuer is deemed to be a reference only to such an issuer in relation to group health insurance coverage or, with respect to a group health plan, to the plan;

''(3) to the Secretary is deemed to be a reference to the Secretary of Labor;

''(4) to an applicable State authority is deemed to be a reference to the Secretary of Labor; and

''(5) to an enrollee with respect to health insurance coverage is deemed to include a reference to a participant or beneficiary with respect to a group health plan.''.

(b) MODIFICATION OF PREEMPTION STANDARDS.—Section 731 of such Act (42 U.S.C. 1191) is amended—

(1) in subsection (a)(1), by striking ''subsection (b)'' and inserting ''subsections (b) and (c)'';

(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(3) by inserting after subsection (b) the following new subsection:

''(c) SPECIAL RULES IN CASE OF PATIENT ACCOUNTABILITY REQUIREMENTS.—Subject to subsection (a)(2), the provisions of section 713, shall not prevent a State from establishing requirements relating to the subject matter of such provisions so long as such requirements are at least as stringent on group health plans and health insurance issuers in connection with group health insurance coverage as the requirements imposed under such provisions.''.

(c) CONFORMING AMENDMENTS.—

(1) Section 732(a) of such Act (29 U.S.C. 1185(a)) is amended by striking ''section 711'' and inserting ''sections 711 and 713''.

(2) The table of contents in section 1 of such Act is amended by inserting after the item relating to section 712 the following new item:

''Sec. 713. Children's health accountability standards.''.

SEC. 4. STUDIES.

(a) BY SECRETARY.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services shall conduct a study, and prepare and submit to Congress a report, concerning—

(1) the unique characteristics of patterns of illness, disability, and injury in children;

(2) the development of measures of quality of care and outcomes related to the health care of children; and

(3) the access of children to primary mental health services and the coordination of managed behavioral health services.

(b) BY GAO.—

(1) MANAGED CARE.—Not later than 1 year after the date of enactment of this Act, the General Accounting Office shall conduct a study, and prepare and submit to the Committee on Labor and Human Resources of the Senate and the Committee on Commerce of the House of Representatives a report, concerning—

(A) an assessment of the structure and performance of non-governmental health plans, medicaid managed care organizations, plans under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), and the program under title XXI of the Social Security Act (42 U.S.C. 1397aa et. seq.) serving the needs of children with special health care needs;

(B) an assessment of the structure and performance of non-governmental plans in serving the needs of children as compared to medicaid managed care organizations under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.); and

(C) the emphasis that private managed care health plans place on primary care and the control of services as it relates to care and services provided to children with special health care needs.

(2) PLAN SURVEY.—Not later than 1 year after the date of enactment of this Act, the General Accounting Office shall prepare and submit to the Committee on Labor and Human Resources of the Senate and the Committee on Commerce of the House of Representatives a report that contains a survey of health plan activities that address the unique health needs of adolescents, including quality measures for adolescents and innovative practice arrangement.

THE CHILDREN'S HEALTH INSURANCE ACCOUNTABILITY ACT SUMMARY

ACCESS TO APPROPRIATE PRIMARY CARE PROVIDERS

Health plans that require designation of a primary care provider shall permit enrollees to designate a physician who specializes in pediatrics.

ACCESS TO PEDIATRIC SPECIALTY SERVICES

Health plans must demonstrate the capacity to adequately serve child enrollees through an appropriate mix, quantity and access to pediatric and child health specialists, including centers of excellence and tertiary care centers for children. Health plans' definition of specialist must include pediatric specialty in the case of care for children. Health plans shall also establish procedures through which an enrollee with a condition that requires ongoing care from a pediatric specialist may obtain a standing referral to that specialist. Health plans must have a process for selecting a specialist as primary care provider.

CONTINUITY OF CARE

Enrollees who are being treated for a serious or chronic illness are allowed to continue receiving treatment from their specialists for a period of time if their physician is terminated from the plan or if their health plan is changed by the employer and the enrollees no longer have the option of continuing to receive care from their previous physician specialist.

EMERGENCY CARE

The bill requires the ''prudent layperson'' standard for access to emergency services for children.

SPECIAL PROVISION FOR CHILDREN WITH SPECIAL HEALTH CARE NEEDS

Plans must have in place procedures for the provision of services to enrollee children with special health care needs. This would include a requirement of participation by families of such children in the development of those procedures and a treatment plan.

INTERNAL AND EXTERNAL APPEALS AND GRIEVANCES

The legislation requires internal and independent external appeals and grievance procedures that require review by appropriate pediatric experts. Such a system shall also provide for expedited procedures for a child enrollee in situations in which the time frame of a standard appeal would jeopardize the life, physical or mental health, or development of the child.

DISCLOSURE OF HEALTH INFORMATION

The health plan must provide information to consumers that includes measures of structures, processes and outcomes in a manner that is separate for both the adult and child enrollees using measures that are specific to each group.

CONTINUOUS QUALITY IMPROVEMENT

Each health plan must have an ongoing internal quality assurance program that measures health outcomes that are unique to children.

UTILIZATION REVIEW

Plans must maintain written protocols that are specific to children with evaluation from those with expertise in pediatrics. Utilization review criteria must be established with input from those with expertise in pediatrics.

STUDIES

The legislation requires studies on (1) the characteristics of illness in children and the development of quality of care measures and outcomes related to the health care of children; (2) how private and public managed care plans are serving children with special health care needs; and, (3) health plans activities that address the unique health needs of adolescents; and, (4) children's access to mental health services.

ADDITIONAL COSPONSORS

S. 1069

At the request of Mr. MURKOWSKI, the name of the Senator from Nebraska (Mr. KERREY) was added as a cosponsor of S. 1069, a bill entitled the ''National Discovery Trails Act of 1997.''

S. 1283

At the request of Mr. HUTCHINSON, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1283, a bill to award Congressional gold medals to Jean Brown Trickey, Carlotta Walls LaNier, Melba Patillo Beals, Terrence Roberts, Gloria Ray Karlmark, Thelma Mothershed Wair, Ernest Green, Elizabeth Eckford, and Jefferson Thomas, commonly referred collectively as the ''Little Rock Nine'' on the occasion of the 40th anniversary of the integration of the Central High School in Little Rock, Arkansas.

S. 1305

At the request of Mr. GRAMM, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 1305, a bill to invest in the future of the United States by doubling the amount authorized for basic scientific,

medical, and pre-competitive engineering research.

S. 1321

At the request of Mr. TORRICELLI, the name of the Senator from New Hampshire (Mr. GREGG) was added as a cosponsor of S. 1321, a bill to amend the Federal Water Pollution Control Act to permit grants for the national estuary program to be used for the development and implementation of a comprehensive conservation and management plan, to reauthorize appropriations to carry out the program, and for other purposes.

S. 1737

At the request of Mr. MACK, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 1737, a bill to amend the Internal Revenue Code of 1986 to provide a uniform application of the confidentiality privilege to taxpayer communications with federally authorized practitioners.

SENATE CONCURRENT RESOLUTION 65

At the request of Ms. SNOWE, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of Senate Concurrent Resolution 65, a concurrent resolution calling for a United States effort to end restriction on the freedoms and human rights of the enclaved people in the occupied area of Cyprus.

SENATE RESOLUTION 155

At the request of Mr. LOTT, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of Senate Resolution 155, a resolution designating April 6 of each year as ''National Tartan Day'' to recognize the outstanding achievements and contributions made by Scottish Americans to the United States.

SENATE RESOLUTION 198

At the request of Mr. MACK, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of Senate Resolution 198, a resolution designating April 1, 1998, as ''National Breast Cancer Survivors' Day.''

NOTICES OF HEARINGS

SUBCOMMITTEE ON NATIONAL PARKS, HISTORIC PRESERVATION AND RECREATION.

Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on National Parks, Historic Preservation, and Recreation.

The hearing will take place on Thursday, May 7, 1998, at 2 p.m. in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to receive testimony on titles VI, VII, VIII, and XI of S. 1693, a bill to renew, reform, reinvigorate, and protect the National Park System.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Subcommittee on National Parks, Historic Preservation and Recreation, Committee on Energy and Natural Resources, U.S. Senate, 364 Dirksen Senate Office Building, Washington, DC 20510–6150.

For further information, please contact Jim O'Toole of the subcommittee staff at (202) 224–5161 or Shawn Taylor at (202) 224–6969.

SUBCOMMITTEE ON WATER AND POWER

Mr. KYL. Mr. President, I would like to announce for the public that the hearing scheduled before the Subcommittee on Water and Power, of the Energy and Natural Resources Committee to receive testimony regarding S. 1515, a bill ''To amend Public Law 89–108 to increase authorization levels for State and Indian tribal, municipal, rural, and industrial water supplies, to meet current and future water quantity and quality needs of the Red River Valley, to deauthorize certain project features and irrigation service areas, to enhance natural resources and fish and wildlife habitat, and for other purposes,'' has been postponed.

The hearing was scheduled to take place on Tuesday, March 31, 1998, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building in Washington, DC, and will be rescheduled later.

For further information, please call Jim Beirne, senior counsel (202) 224–2564 or Betty Nevitt, staff assistant at (202) 224–0765.

ADDITIONAL STATEMENTS

JUDGE T. EMMET CLARIE

• Mr. DODD. Mr. President, when my father served in the Senate, he felt that one of his most important responsibilities was recommending individuals to serve on the federal bench. He took great care in choosing the most qualified individuals to serve these lifelong appointments. His selections were a source of pride, but none greater than Judge T. Emmet Clarie. Judge Clarie was appointed to the federal bench in 1961, and he served our state and the country honorably for more than three decades as a U.S. District Judge. Sadly, Judge Clarie recently died at the age of 84.

Upon his passing, Judge Clarie was praised by all those who knew him. One of his clerks referred to him as ''a second father.'' Another said that they ''learned much more working for him than they ever did in law school.'' A third called him ''the best teacher of lawyering you could imagine.''

This admiration was shared by his colleagues on the bench. He was described by his peers as ''a judge's judge'' and ''a model and an inspiration to all his judicial colleagues.''

Judge Clarie's career of public service extended far beyond the federal bench. He taught high school to help pay his way through law school. He served as chairman of the Killingly Board of Education from 1938 to 1961. He was a state legislator for six years. He also served as clerk of the Connecticut Senate, prosecutor of the Killingly Town Court, and Commissioner of State Liquor Control Commission.

The Judge was a skilled legal thinker, and he presided over perhaps the most complex criminal case in Connecticut history: the armed robbery of a Wells Fargo truck by foreign nationalists. But he will always be remembered for his common sense, his nononsense style, his fundamental fairness, more than anything else. When presiding over the case that involved the theft of millions of dollars and terrorists who were trying to fund a revolution, Judge Clarie saw beyond the defendants' hype and insisted all the while that they would be tried as simple robbers. He said, ''Common crimes do not become political crimes simply because the criminal is a would-be politician.''

Judge Clarie may have sat on one of the highest courts in the land, but he never forgot his roots. He lived in eastern Connecticut for practically his entire life, and he commuted more than 100 miles round-trip every day from his farm home in Danielson to his courtroom in Hartford. The Judge said that he needed to return to the country to be ''refreshed'' every night. His roots helped shape his philosophy toward the law. He said: ''If the law is to mean anything, it means that all people—little and big—must comply with it.''

T. Emmet Clarie was a straightforward jurist who brought a tremendous sense of fairness and equity to the bench. He was also a caring and honorable man who dedicated his entire life to public service and went out of his way to help others. The State of Connecticut is better for his service, and all those who were fortunate to know this great man will miss him dearly.•

JAPAN'S ROLE IN THE ASIAN FINANCIAL CRISIS

• Mr. ROTH. Mr. President, earlier this week, I addressed an audience at the Center for Strategic and International Studies on the Asian financial crisis and the critical role Japan needs to play in bringing that crisis to an end. While Japan has made bilateral assistance available to the countries most affected, Japan clearly is not facing up to the challenges presented by its own economic problems, let alone those of the region as a whole.

Japan still constitutes more than two-thirds of East Asia's GDP. Regional recovery, therefore, is impossible without economic growth in Japan. Quite simply, the countries of the region in most dire condition need markets for their goods, and the United States alone cannot serve as the world's only major engine of growth. For Japan's own good, and for the good of the region and the global economy, Tokyo must serve as a second engine of growth.

Unfortunately, Tokyo's economy remains mired in its seventh straight

year of stagnation, and Japan is failing to take the steps it must take to stimulate and open its economy. At this critical moment in Asia's future, when Japan's role is so vital, Tokyo is failing to provide leadership of any lasting consequence. I hope that Japan can be convinced to change course and implement the bold series of measures I outlined in my speech. Because of the importance of this matter, I ask that the text of my speech be printed in the RECORD.

The speech follows:

ADDRESS BY SENATOR WILLIAM V. ROTH, JR.

It's a pleasure to be here today—to join CSIS in looking at a vital and very volatile area of the world. That, of course, is Asia—a region that has captivated our attention and generated quite some concern in recent months . . . and for good reason.

Today, I will address the Asian financial crisis and the role of each of the major players in the crisis, particularly the role of Japan. The concern these past few months is borne by the fact that Asia, Japan and the United States have a critical stake in the outcome of the problems rocking the economies along the Pacific Rim of Asia.

In a global economy, all of us have a stake in seeing Asia's rapid return to prosperity and growth. Our economic interdependence with Japan and the rest of Asia continues to grow by the day, as does our interest in the maintenance of peace and security for the region. That's why I'm convinced that restoring the economic health of Asia is vital to the economic health of the United States.

In January, I had the chance to visit the heads of state and economic leaders of Korea, Malaysia, Thailand and Japan. In each of the first three countries, I was impressed with the steps taken to address the problems they face, and the resolve they demonstrated to continue on the right path. Each has made strides in opening up to foreign investment and liberalizing its trade regime.

In Japan, however, I was disappointed with the seeming inability, and even unwillingness, to do the things necessary to stimulate the country's economy—not only for the sake of Japan, but for the sake of Asia and the global economy as well.

Let me leave Japan aside for the moment, and begin by addressing the Asian financial situation as a whole. I believe that if the right steps are taken, Asia can and will emerge from its current problems stronger and more dynamic than ever. This will, of course, take time and inevitably there will be pain and hardship.

The most pressing of the steps necessary to restore Asian growth and prosperity is for Indonesia to implement immediately and forthrightly the conditions the IMF imposed upon it as part of its rescue package. From ending crony capitalism to breaking up the monopolies that control so much of its economy, Indonesia must take the steps outlined by the IMF to realize a more open economy. I fear we are facing renewed regional contagion unless Indonesia proves more flexible on this score.

Our friends in Thailand, Korea and Malaysia must continue on the path of trade and investment liberalization—a path on which they have embarked and made some significant gains.

For its part, China must resist any temptation to devalue its currency to avoid a series of regional competitive devaluations.

All the countries of Asia must make the structural reforms necessary to open their markets to freer flows of capital and goods. These reforms are squarely in the interest of everyone in the region because greater economic openness is fundamental to Asia's future prosperity.

The agreement to create the ASEAN Free Trade Area was a vital step in this direction. Now, the financial crisis only makes the speed of implementation more critical.

The nations of Asia must also very significantly improve financial and economic transparency by making available accurate and timely information on both public and private sector institutions. That is the only way market economies can function efficiently.

For our part, the United States must support the process of economic reform under way in Asia and the role of the International Monetary Fund in that process. At the same time, the Fund must be more transparent, flexible and accountable in its operations. In addition, as the IMF's Articles of Agreement make clear, IMF assistance programs should ''facilitate the expansion and balanced growth of international trade.''

Finally, Japan: In my view, the single most important step in ensuring the long-term economic health of the Asia Pacific is for Japan to embark immediately on a fundamental, systemic program of economic reform. Simply put, Japan must become a locomotive for regional growth if we are to see our way out of the Asian financial crisis.

It's also clearly in Japan's interest to get its economy moving. We have been waiting seven years for action by Tokyo, yet here's what we see: Japan's economy is likely to finish fiscal year 1997 with negative growth for the first time since 1974. The so-called diffusion index of coincident indicators used by the Government of Japan to gauge the state of the economy was zero in both November and December. Consumer spending was down 4% in January and 5% in December compared to the same months a year earlier, and the willingness of salaried workers' households to spend—expressed as the amount of money set aside for that purpose—is at a record low. Prices are falling due to lack of demand rather than productivity improvements—indicating the potential for a dangerous deflationary spiral. Two-thirds of Japanese polled just last week say they are getting hurt by what most see as a ''severe recession.'' Pre-tax profits of major corporations outside the financial sector are expected to be down by 2.2% for fiscal year 1997. Japan's auto industry—which makes up 10% of the country's GDP—is making large-scale production cuts. Housing starts have been down on a year-on-year basis for the past 13 months.

I could go on, but the point is clear: Japan's economy is in a precarious situation. I believe it should also be clear that the only way for Japan to address the situation is through drastic, fundamental economic change.

In my view, Japan needs to take action on four fronts. First, Japan needs immediate economic stimulus. Tokyo must deliver a significant package of tax cuts coupled with a campaign to induce the Japanese public to use those tax cuts for consumption rather than savings. The recent, small, temporary tax cut is of negligible significance. What is needed is a large permanent tax cut, perhaps taking the form of a rebate in the first year to get money into the hands of the public so they'll be encouraged to spend rather than save.

Second, to absorb more of the exports from troubled Asian economies, Japan should more quickly open its markets to foreign imports. Keep in mind that there is already a great deal of concern in Congress over the flood of imports that the United States is expecting from Asia. The resulting surge in our trade deficit could lead to increased protectionist pressures.

Third, to rid itself of a major source of economic drag, Japan must finally come to terms with its enormous, festering bad loan problem.

And finally, Tokyo needs speedier—and real—deregulation.

Now, what is Japan doing on these four fronts? Unfortunately, as we all know, very little. The next fiscal stimulus package will consist mainly of public works projects—more bridges and tunnels to nowhere. More pork-barrel projects that help politicians in the elections later this year, but do almost nothing to stimulate the economy.

On opening its markets and absorbing imports, Japan has already seen a sharp drop in imports from Asia, and a sharp rise in exports to the United States.

In the banking sector, the large amount of funds made available recently to deal with the problem appear headed for use instead to prop up the archaic convoy system. Moreover, the government of Japan is planning yet another ''Price-Keeping Operation'' to boost share prices before FY97 ends on March 31. It seems we will have to wait once again before the Ministry of Finance lets the bad banks fail and deals forthrightly with the massive bad loan problem.

On deregulation, the next three-year plan is due out at the end of this month. Meanwhile aspects of the so-called ''Big Bang'' financial deregulation are set to go into effect. The problem is that so far, deregulatory efforts in Japan have yielded little in terms of tangible results. Because of this, and because deregulation is opposed by the bureaucracy, until we see such results, many—including myself—remain skeptical about the Japan's efforts in this area.

The bottom line on all four fronts is that Japan is not facing up to the challenges presented by its own economic problems, let alone those of the region as a whole. Instead of stimulating its economy by reducing tax burdens and encouraging its public to spend, Japan is relying again on public works projects that will have no real impact. Instead of opening its markets to the exports crucial to Asia's recovery, Japan is increasing its exports to levels that will soon be politically unsustainable. Instead of finally dealing with its banking mess, Japan is still propping up failed banks.

Now, I recognize that Japan has done some significant things to address the Asian financial crisis. Tokyo has committed more funds on a bilateral basis to the various IMF bailout packages than any other country. I also commend Prime Minister Hashimoto for his attempts to move President Suharto of Indonesia in the right direction.

But at this critical moment in Asia's future, when Japan's role is so vital, Tokyo has so far failed to provide leadership of any lasting consequence. Japan still constitutes more than two-thirds of the East Asia's GDP. Regional recovery, therefore, is impossible without economic recovery in Japan.

Ironically, it is Japan's enormous resources—its $11 trillion in savings and its massive foreign reserves—that make it too easy for Japan to resist the sorts of changes being forced upon other countries in Asia. Korea and Thailand have no choice but to institute the IMF conditions requiring systemic economic reforms. Those countries face a crisis that has enabled them thus far to advance economic reforms that only months ago were unthinkable.

Japan does not face a financial crisis—not yet anyway. Given weak leadership in Tokyo

and resistance to the fundamental reforms necessary, I fear that Japan may actually need a crisis if it is ever to get its economic house in order. I hope that I am wrong and that Japan will begin to take the steps necessary to boost its economy and serve as an engine of economic growth. Clearly, it is in Japan's interest to do so, as it is in the interest of Asia and of the United States. Toward this end, we must all remain engaged in encouraging and persuading Japan to move forward.

Japan faces enormous challenges in the coming months and years, as does all of Asia. The challenges, however, are far from insurmountable. And global prosperity depends on meeting those challenges head-on. As I have outlined, the road back to prosperity and growth should be fairly clear, though in some instances, politically treacherous. The good news is that most of the steps on that road require increased economic liberalization, greater transparency and reduced regulation. If that road is taken, the Asian financial crisis will have had the positive result of moving the global economy toward a new level of growth and prosperity.●

TRIBUTE TO KENNETH EUGENE GRUBE

● Mr. DODD. Mr. President, I rise today to pay tribute to a great journalist, but more important, a good friend: Kenneth Eugene Grube of Groton, Connecticut. Sadly, Mr. Grube recently died at the age of 76.

Ken Grube worked for 44 years as a newspaper editor and reporter, and he spent the last 25 years of his career in Southeastern Connecticut at The New London Day, where he was a managing editor and the long-time editorial page editor.

While he was at The Day, he was renowned for his emphasis on local topics, but he earned a regional and national reputation for his work. He served as President of the New England Society of Newspaper Editors and the Connecticut Circuit of the Associated Press. He was also a longtime member of the National Conference of Editorial Writers, and he edited the group's quarterly publication and served on its Professional Standards Committee.

In recognition of his outstanding career of newspaper achievement, he received the prestigious Yankee Quill Award from the New England Academy of Journalists.

The strong reputation that Ken Grube earned was based not only his journalistic talent, but also on his good will and commitment to serving his community.

In 1976, the New London County Bar Association gave him its award for outstanding public service. People don't necessarily think of journalists as public servants, but Mr. Grube showed an uncommon devotion to his community and he used his position to affect social change.

During his 15 years as editorial page editor, he would consistently focus on a particular topic, often on behalf of the poor and less fortunate, writing editorial after editorial until he had achieved the ends that he thought were best for his community and its people.

He also spent a great deal of his time away from the newspaper working with various organizations in the New London/Groton area. He was President of the Family Service Association of Southern New London County. He served on the board for Waterford Country School. And he helped found the local Martin Luther King, Jr. Scholarship Fund.

He was also Chairman of the State Freedom of Information Commission, which is fitting because he was one of the leading journalists in the state who fought to pass a state law that would protect the availability of public information.

But aside from his many accolades and accomplishments, Ken Grube will be remembered as a newspaper man with a huge heart who genuinely cared about his readers. Everyone in town knew him, and he could often be seen in the restaurants and pubs in town striking up conversation with whomever was around. For Mr. Grube, the most exciting stories didn't come from City Hall or the Capital, they came from Main Street. He believed that the primary role of any good reporter was to note the everyday events in people's lives, and he stayed true to this principle through his entire career.

Ken Grube performed countless good deeds in order to lift up others, and for that, we thank him. He was also a kind man and a good friend, and for that, we will miss him.

He is survived by four children and four grandchildren. I offer my heartfelt condolences to them all.●

THE 42ND ANNIVERSARY OF TUNISIA'S INDEPENDENCE

Mr. GRASSLEY. Mr. President, today Tunisia celebrates the 42nd Anniversary of its Independence from France. I would like to take this opportunity to congratulate them for their many successful endeavors of the past 42 years.

Last year, Tunisia and the U.S. celebrated the bicentennial of the ''Treaty of Peace and Friendship.'' This celebration marked the longest unbroken friendship treaty in the history of the two countries. Throughout our long relationship the United States and Tunisia have experienced cooperation based on respect and our mutual commitment to freedom, democracy, and the peaceful resolution of conflict.

Despite its location in a very volatile area of the world, Tunisia has been a leader in promoting stability and peace in Africa and the Middle East. It has been a voice of moderation in the Arab-Israeli peace process promoting dialogue and improved relations. It was the first Arab State to host an Israeli delegation and to hold a multilateral meeting of the peace process. In 1996, Tunisia and Israel opened interest sections in each country and established full diplomatic relations.

Tunisia also has made impressive economic strides. It has successfully graduated from development assistance to become a self-sufficient nation. The people of Tunisia enjoy the highest standard of living in the region. These improvements have come about through the devotion of vital resources to the promotion of its people, education, and economic reform.

In the past 12 years, the government has focused its economic development on privatizing many of the state-owned companies and reforming the financial and banking systems. As a result, Tunisians have developed a diverse and market oriented economy where they have experienced not only domestic success but increased international standing. Tunisia is a member of the World Trade Organization and enjoys duty-free access to the European Union and most Arab countries.

Tunisia has been a friend and ally to the United States for many years. I look forward to continued cooperation and friendship in the years to come. As Tunisia celebrates its 42nd anniversary of independence, I offer my sincere congratulations on their many successful accomplishments.

IN HONOR OF BARBARA M. WHEELER

● Ms. MOSELEY-BRAUN. Mr. President, it is my special privilege to take this opportunity to honor a woman from my home state of Illinois who has spent her career fighting to improve public education. For almost 25 years, Barbara M. Wheeler has served the students, teachers, and schools of Illinois as a champion of public education. Recently, her devotion and hard work was recognized by her peers when she was named President of the National School Boards Association.

Ms. Wheeler began her extraordinary career of public service by earning an undergraduate degree in Non-Western History from Saint Dominic College in 1969. In 1972, she received her Illinois Teaching Certificate from Elmhurst College. In 1974, Ms. Wheeler joined the Community High School District 99 Board of Education in Downers Grove, and served as President from 1976 to 1987, and again from 1994 to 1995. In 1980, Ms. Wheeler graduated from the Depaul University College of Law, and served as an Assistant State's Attorney in Cook County from 1980 to 1982 before going into private practice.

While practicing law, Barbara Wheeler's service to the community continued. She has been an active member of the Illinois Association of School Boards, serving in 18 different positions including President (1987–1989) and Vice President (1985–1987). Additionally, Ms. Wheeler has spoke on educational matters before convention audiences around the nation, and has advised and consulted many groups, including the Chicago Board of Education, 57 school districts across Illinois, the New York School Boards Association and the Institute for Educational Leadership.

For her outstanding leadership and achievements, Ms. Wheeler has received awards from the Illinois State Board of Education, the Illinois Association of School Administrators, and the Illinois Association of School Boards.

Education is not the only field which benefits from Ms. Wheeler's talent and energy. She also unselfishly volunteers her time with worthwhile groups such as the Illinois Department on Aging, George Williams College, the Downers Grove Chamber of Commerce and the Downers Grove YMCA. Ms. Wheeler is also a member of the Chicago Bar Association, the Illinois Bar Association and the American Bar Association.

Barbara Wheeler commands a high level of respect from educators in Illinois and around the country, and her broad understanding of the issues and challenges facing public education demonstrates the level of excellence that she will bring to the office of President of the National School Boards Association. Her advocacy in behalf of our nation's students and schools is a model of action for all Americans to follow. I congratulate her on her recent appointment, and wish her good luck and Godspeed.●

TRIBUTE TO RAYMOND SCHMITT

● Mr. DODD. Mr. President, I rise today to pay tribute to a man who, like me, called East Haddam, Connecticut home and who demonstrated a great passion and love for this little town along the Connecticut River: Raymond Schmitt, who recently died at his home in Florida.

Raymond Schmitt was a successful businessman who owned several companies that manufactured components for the aircraft industry. He was very generous with his wealth, donating money to the school system, the local historical society and many other organizations.

He will be best remembered for his association with a Victorian-era mill village in Connecticut known as Johnsonville. In 1965, he purchased the mill village and restored the old schoolhouse, general store, and carriage house. In the windows of the buildings, there were whimsical mechanized scenes that delighted all visitors. Johnsonville would open during Christmas and other special occasions, and thousands of people delighted in visiting the village. It became part of the holiday tradition for many Connecticut families.

Johnsonville has been closed for almost a decade, but Mr. Schmitt would still open it for certain events such as a fund-raiser for music students at an area high school.

Mr. Schmitt was known not only for his commitment to his community, but also to his ideas for making it better. In recent years, he came to believe that the town's selectman style of government, which has been in place since the town's inception, was too antiquated and in need of reform. As a result, he wrote his own town charter, which called for a 7-member town council and town government.

His charter was never adopted. But no one doubted that Raymond Schmitt loved the town of East Haddam. And it is this passion for his hometown for which Raymond Schmitt should and will be remembered.●

TRIBUTE TO STETSON MODEL SENATE

● Mr. CLELAND. Mr. President, I rise today to congratulate and commend the Stetson Model Senate program and the nearly one hundred college students who participated in this year's three-day session. Students from Stetson University, Goucher College, University of Central Florida, Clemson University, Lake Sumter Community College, Jacksonville University, The Citadel, and Longwood College conducted committee meetings, party caucuses, and sessions of the full Senate, portraying Senators of the 105th Congress.

This year's program marked my second year attending and speaking at the Model Senate's annual dinner. I was very impressed both with the level of student awareness of public affairs, and with the number of students and schools which participate every year.

I congratulate Stetson University, my alma mater, for encouraging these college students to learn more about this nation's political processes and history.

Mr. President, I would like to especially honor and commend Dr. T. Wayne Bailey, professor of Political Science at Stetson University and organizer of the proceedings, and Kevin Kayes, Senate Parliamentarian, who guided the students during the sessions of the mock Senate. I truly enjoyed meeting these young men and women participating in the 1998 Stetson Model Senate and ask my colleagues to join me in saluting and congratulating these college students and the organizers of this inspirational program.●

TRIBUTE TO THE UNIVERSITY OF RHODE ISLAND RAMS

● Mr. REED. Mr. President, ten years ago the Rams of the University of Rhode Island, shocked sports fans throughout the country when they beat the #3 seeded Orangemen of Syracuse and advanced to the Sweet Sixteen in the NCAA men's basketball tournament.

It took a few years, but the giant slayers from little Rhody are back. Last weekend, the Rams shocked the basketball world again, defeating the indomitable, #1 seeded Jayhawks of Kansas. With a win tonight over Valparaiso, URI will advance to the Elite Eight.

But, Mr. President, don't sell this team short. They may be smaller than their opponents. They readily admit that. But they know how to win, just ask anyone from Lawrence, Kansas.

I should add, Mr. President, with regard to tonight's game, that beyond the match-ups on the floor, there will be a contest on the sidelines. As many have commented, URI Coach Jim Harrick will do battle with his son, Jim Jr., an assistant coach at Valparaiso. At stake will be family bragging rights that will last a very long time. In this game, however, I'd bet on the elder Coach Harrick. Indeed, Mr. President, I expect to be back on the Senate floor next week to talk about the Rams and the Final Four.●

RICHARD GARDNER AND THE UNITED STATES-SPAIN COUNCIL

● Mr. GRAHAM. Mr. President, it is with great pleasure that I bring to the Senate's attention the distinguished service of the former United States Ambassador to Spain, Richard Gardner. Ambassador Gardner concluded his service on July 12, 1997. During his tenure, Ambassador Gardner performed his diplomatic duties with grace and distinction. As a result of his outstanding work, the relationship between the United States and Spain has been immeasurably strengthened.

The ambassador has received praise and high marks for his exemplary performance from a number of observers. For example, Spanish journalists have commented on his successful efforts to increase private donations for student exchange program, which provide expanded opportunities for cultural and academic interaction between United States and Spanish citizens. In a more formal capacity, Ambassador Gardner's efforts facilitated an improved, and mutually beneficial, trade relationship between our countries and enhanced relations between our respective governments.

One aspect of Ambassador Gardner's work of which I am very familiar is his instrumental role in establishing the United States-Spain Council. Founded in 1995, the Council has grown to become an important institution for the development and enhancement of United States-Spain relations. Its mission is to encourage understanding of our shared interests and to promote constructive relations and cooperation between the Spanish and American governments on a variety of important issues, including, trade, intellectual property rights, and education. Currently, I am the chairman of the council. Its membership includes a diverse group of business, academic, and government leaders.

Mr. President, Ambassador Gardner served his country with great distinction and conducted himself in a manner worthy of the respect and admiration of all Americans. Diplomats serve as liaisons and are the most visible representatives of their home countries. In this capacity, Ambassador Gardner exemplified the best our country has to offer. He will be sorely missed by the

many colleagues and friends he has left behind. Luckily, he will continue to serve our country through his work in the private sector and on the United States-Spain Council.

I ask that an article titled ''Hasta Siempre, Mr. Gardner,'' which first appeared in the Spanish periodical *Gaceta de los Negocios*, be printed in the RECORD.

The article follows:

[From the Gaceta de los Negocios, June 30, 1997]

HASTA SIEMPRE, MR. GARDNER

(By Carlos Rodriguez)

A great ambassador is leaving on July 12 to return to his career as an attorney and distinguished Columbia University professor. He and his wife Danielle are leaving behind so many friends and so much affection in Spain that they will surely return often to the country that has conquered them and that they have come to understand and love. Richard N. Gardner has imbued his diplomatic mission with culture and has achieved excellent relations with both the last Gonzalez government and the first Aznar government.

Three years and nine months have flown by for those of us who have had the opportunity to enjoy his intellectual stature, his sense of humor and his warmth. He is, however, above all a professor and wants to return to his Chair and his students, which is both comprehensible and praiseworthy. He has also been enriched somewhat during this stay among us, not only in friends but also in his use of our language, only a few words of which he spoke when he arrived and which he now speaks easily and with visible pleasure.

The Ambassador of the United States is not just another diplomat in Spain, not just because of the overwhelming dimension of the world power that he represents, but also because relations between our two countries are quite special and the American friend has long sought to help Spaniards have a better life and live in freedom.

The Embassy was a point of reference for decades, until the unwarranted, adolescent anti-Americanism bias and simplemindedness of twenty or thirty years ago melted away. America is too large and varied to correspond to a stereotype, but above all else it is a great beacon of freedom. With Gardner and, it must be said, almost always before, embassy parties have brought together politicians from all the democratic parties, journalists from the different stables, intellectuals and business persons on friendly terms; all given equal treatment simply as Spanish friends.

As a professor, Gardner has given special care to cultivating cultural and educational relations. During his mandate the Fulbright scholarship program has seen spectacular growth. The Ambassador has used his charm to garner increasingly more commitments from Spanish sponsors. He knows the importance of having so many young researchers in different fields not only benefiting from the U.S. system of higher education, but at the same time opening up bridges to the rich variety in the American lifestyle. Professorial exchanges will further enhance this project.

This instinct for cultural, social and economic relations, without which government relations would be rigid and bureaucratical, has resulted, for example, in the recent creation of the U.S.-Spain Council, which held its first meeting last November in Toledo and will meet again in Washington at the end of October this year. And, of course, there is the endless hosting of luncheons, dinners, breakfasts and receptions that has made this Embassy a forum for meeting and dialog.

Aznar's trip to the United States was an important achievement in Gardner's mandate. A succession of errors and misunderstandings prior to the visit did not help create the best atmosphere in Washington for the visit. Nonetheless, thorough preparation and careful agenda design made the two-hour meeting with Clinton cordial and quite satisfactory in content. Gardner was working on principles of State as what he often states is in his view the job of an ambassador: to be the eyes and ears of his president.

Trade and capital movements are at the forefront of relations between our two countries. The work has not been all intellectual. During Gardner's term, access to the U.S. market has been achieved for Spanish products as important as the Talgo train, serrano ham, canned tomatoes and tuna fish, and strong investment flows have been generated in the privatization of large companies such as Telefonica.

During these past three years and nine months. Gardner has honored the opinion pages of Gaceta de los Negocios, as have other distinguished members of the Clinton Administration, and been an avid reader of its news, reports, and commentary. He is a man concerned with intellectual discovery and understanding, two important values that he has at all times put to work in his diplomatic mission to our country.

The Spain that Ambassador Gardner has known and grown to love is no longer an isolated, different nation, insistent upon licking its wounds from 1898, but rather a modern, democratic country with a strong, recognized presence in at least four major areas: the European Union, NATO, Latin America, and the Mediterranean. It is precisely its special relations with Spain which open up better possibilities for the United States in all of these quite relevant areas.

Richard N. Gardner is now going to leave his position right after an important event relating specifically to one of these areas, the NATO Summit, to be held in Madrid on July 8 and 9, and which, as the Ambassador himself has stated, ''aptly symbolizes the emergence of Spain on the European scene.'' He will, therefore, be working intensely up to the very end of his mandate, a symbol of his personal dedication to this Latin country that will bid him not good-bye, but hasta siempre.●

TRIBUTE TO JUNE K. GOODMAN

● Mr. DODD. Mr. President, I rise today to pay tribute to a true champion of public education and the arts: June K. Goodman of Danbury, Connecticut. Sadly, Mrs. Goodman recently died at the age of 77.

One of the greatest gifts that June Goodman's parents gave her was an appreciation and a passion for opera and the performing arts. Just as they also provided her with a sense of community and an unfailing commitment to helping others. She had many jobs, including teaching, but what set her apart from others was her volunteer work.

She directed the Danbury Music Center for 20 years and helped found the Charles Ives Center for the Performing Arts in Danbury. She also served on the board for the National Theater of the Deaf in Chester. In Hartford, she was best known for her unpaid service as Chairwoman of the State Board of Education and the Commission on the Arts. During the 1970s and 1980s she would actually make the 100 mile round-trip to Hartford several times each week to serve in these posts.

June Goodman attained a national reputation for her expertise and work in the arts. In fact, President Carter often called on her for her advice and ideas. But the focus of her work always shone brightest on her home town and the state.

For more than 40 years, Mrs. Goodman was a close friend to the famed opera singer Marian Anderson, who also hailed from Danbury. In 1990, Mrs. Goodman established the Marian Anderson Award fund, which provides grant assistance for talented opera singers throughout the country. After her passing, Mrs. Goodman's family asked that donations be made to the Anderson Award fund. This fund will serve as living testament to both of their legacies.

June Goodman was an extraordinary woman and a true treasure. She will be dearly missed. She is survived by her husband, William, her five children, her six grandchildren, her sister and her brother. I offer my heartfelt condolences to them all.●

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT 105–37

Mr. LOTT. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on March 20, 1998, by the President of the United States: Treaty with Saint Kitts and Nevis on Mutual Legal Assistance in Criminal Matters, Treaty Document 105–37.

I further ask that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

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

The message of the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty Between the Government of the United States of America and the Government of Saint Kitts and Nevis on Mutual Legal Assistance in Criminal Matters, signed at Basseterre on September 18, 1997, and a related exchange of notes signed at Bridgetown on October 29, 1997, and February 4, 1998. I transmit also, for the information of the Senate, the Report of the Department of State with respect to the Treaty.

The Treaty is one of a series of modern mutual legal assistance treaties being negotiated by the United States in order to counter criminal activities

more effectively. The Treaty should be an effective tool to assist in the prosecution of a wide variety of crimes, including drug trafficking offenses. The Treaty is self-executing.

The Treaty provides for a broad range of cooperation in criminal matters. Mutual assistance available under the Treaty includes: taking of testimony or statements of persons; providing documents, records, and articles of evidence; serving documents; locating or identifying persons; transferring persons in custody for testimony or other purposes; executing requests for searches and seizures; assisting in proceedings related to immobilization and forfeiture of assets; restitution; collection of fines; and any other form of assistance not prohibited by the laws of the Requested State.

I recommend that the Senate give early and favorable consideration to the Treaty and related exchange of notes, and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 20, 1998*.

NATIONAL TARTAN DAY

Mr. LOTT. I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 328 S. Res. 155.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 155) designating April 6th as National Tartan Day to recognize the outstanding achievements and contributions made by Scottish Americans to the United States.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. LOTT. Mr. President, I want to express my appreciation to Chairman HATCH and members of the Judiciary Committee for expediting this legislation, because the time was running out and we wanted to get this in effect before this April 6 date. On behalf of all of us of Scottish descent, we appreciate this recognition of Tartan Day.

The PRESIDING OFFICER. Without objection, the resolution is agreed to.

The resolution (S. Res. 155) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

S. RES. 155

Whereas April 6 has a special significance for all Americans, and especially those Americans of Scottish descent, because the Declaration of Arbroath, the Scottish Declaration of Independence, was signed on April 6, 1320 and the American Declaration of Independence was modeled on that inspirational document;

Whereas this resolution honors the major role that Scottish Americans played in the founding of this Nation, such as the fact that almost half of the signers of the Declaration of Independence were of Scottish descent, the Governors in 9 of the original 13 States were of Scottish ancestry, Scottish Americans successfully helped shape this country in its formative years and guide this Nation through its most troubled times;

Whereas this resolution recognizes the monumental achievements and invaluable contributions made by Scottish Americans that have led to America's preeminence in the fields of science, technology, medicine, government, politics, economics, architecture, literature, media, and visual and performing arts;

Whereas this resolution commends the more than 200 organizations throughout the United States that honor Scottish heritage, tradition, and culture, representing the hundreds of thousands of Americans of Scottish descent, residing in every State, who already have made the observance of Tartan Day on April 6 a success; and

Whereas these numerous individuals, clans, societies, clubs, and fraternal organizations do not let the great contributions of the Scottish people go unnoticed: Now, therefore, be it

Resolved, That the Senate designates April 6 of each year as ''National Tartan Day''.

NATIONAL BREAST CANCER SURVIVORS DAY

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 329, S. Res. 198.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 198) designating April 1, 1998 as ''National Breast Cancer Survivors Day.''

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. LOTT. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution appear at this point in the RECORD.

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

The resolution (S. Res. 198) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

Whereas breast cancer strikes an estimated 178,700 women and 1,600 men in the United States annually;

Whereas breast cancer strikes 1 out of every 9 American women during an average woman's lifetime;

Whereas breast cancer is the leading cause of death among American women between the ages of 35 and 54;

Whereas during this decade, it is estimated that more than 1,800,000 women and 12,000 men will be diagnosed with breast cancer in the United States;

Whereas when breast cancer is detected at an early stage, the 5-year survival rate is 97 percent;

Whereas according to the United States Centers for Disease Control and Prevention, the percentage of American women who die from breast cancer has begun to decline;

Whereas according to the United States Centers for Disease Control and Prevention, the mortality rate among American women with breast cancer decreased during the period from 1990 to 1995; and

Whereas breast cancer survivors have shown tremendous courage and determination in the face of adversity: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 1, 1998, as ''National Breast Cancer Survivors' Day''; and

(2) requests the President to issue a proclamation calling upon the people of the United States to observe the day with appropriate programs and activities.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on the Executive Calendar: Nos. 545 through 552, and all nominations on the Secretary's desk in the Air Force, Army, and Marine Corps.

I further ask unanimous consent that the nominations be confirmed, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and that the Senate then return to legislative session.

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

The nominations considered and confirmed are as follows:

IN THE AIR FORCE

The following-named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. James E. Andrews, 0000
Brig. Gen. Claude M. Bolton, Jr., 0000
Brig. Gen. Robert J. Boots, 0000
Brig. Gen. John W. Brooks, 0000
Brig. Gen. Richard E. Brown III, 0000
Brig. Gen. John H. Campbell, 0000
Brig. Gen. Bruce A. Carlson, 0000
Brig. Gen. Robert J. Courter, Jr., 0000
Brig. Gen. Daniel M. Dick, 0000
Brig. Gen. Paul V. Hester, 0000
Brig. Gen. Leslie F. Kenne, 0000
Brig. Gen. Tiiu Kera, 0000
Brig. Gen. Donald A. LaMontagne, 0000
Brig. Gen. David F. MacGhee, 0000
Brig. Gen. Timothy P. Malishenko, 0000
Brig. Gen. Glen W. Moorhead III, 0000
Brig. Gen. Harry D. Raduege, Jr., 0000
Brig. Gen. Leonard M. Randolph, Jr., 0000
Brig. Gen. James E. Sandstrom, 0000
Brig. Gen. Lance L. Smith, 0000
Brig. Gen. Charles F. Wald, 0000
Brig. Gen. Tome H. Walters, Jr., 0000
Brig. Gen. Herbert M. Ward, 0000
Brig. Gen. Joseph H. Wehrle, Jr., 0000
Brig. Gen. William Welser III, 0000
Brig. Gen. Michael E. Zettler, 0000

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Frederick H. Forster, 0000

The following-named officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. Louis C. Ferraro, Jr., 0000

Brig. Gen. Danny A. Hogan, 0000
Brig. Gen. Robert B. Stephens, 0000
Brig. Gen. Geoffrey P. Wiedeman, Jr., 0000
Brig. Gen. Robert J. Winner, 0000

To be brigadier general

Col. Marvin J. Barry, 0000
Col. Bruce M. Carskadon, 0000
Col. John M. Danahy, 0000
Col. John D. Dorris, 0000
Col. Robert E. Duignan, 0000
Col. Sally Ann Eaves, 0000
Col. Bobby L. Efferson, 0000
Col. William F. Gordon, 0000
Col. Joseph G. Lynch, 0000
Col. Mark V. Rosenker, 0000
Col. Ronald M. Sega, 0000
Col. Stephen A. Smith, 0000
Col. Edwin B. Tatum, 0000
Col. Kathy E. Thomas, 0000

IN THE ARMY

The following United States Army Reserve officer for promotion in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 14101, 14315 and 12203(a):

To be brigadier general

Col. Michael W. Beasley, 0000

The following-named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. John S. Parker, 0000

The following-named officer for appointment as The Chief of Chaplains, United States Army and for appointment to the grade indicated under title 10, U.S.C., section 3036:

To be major general

Brig. Gen. Gaylord T. Gunhus, 0000

IN THE MARINE CORPS

The following-named officer for appointment in the United States Marine Corps to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Michael J. Aguilar, 0000
Col. James F. Amos, 0000
Col. John G. Castellaw, 0000
Col. Timothy E. Conovan, 0000
Col. James M. Feigley, 0000
Col. Emerson N. Gardner, Jr., 0000
Col. Stephen T. Johnson, 0000
Col. James N. Mattis, 0000
Col. Gordon C. Nash, 0000
Col. Robert M. Shea, 0000
Col. Keith J. Stalder, 0000
Col. Jospeh F. Weber, 0000

IN THE NAVY

The following-named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Edmund P. Giambastiani, Jr., 0000

IN THE AIR FORCE, ARMY, MARINE CORPS

Air Force nominations beginning Richard A. Allnutt III, and ending Diane A. Zipprich, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD OF February 10, 1998

Army nominations beginning Richard W. Meyers, and ending Charles M. Sines, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of February 24, 1998

Army nominations beginning Frederick P. Hammersen, and ending Thomas M. Walton, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of March 3, 1998

Army nominations beginning James R. Agar II, and ending *Everett F. Yates, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of March 6, 1998

Marine Corps nominations beginning Raymond Adamiec, and ending Gerald A. Yingling, Jr., which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of February 24, 1998

Marine Corps nominations beginning Anthony P. Alfano, and ending James R. Wenzel, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of February 24, 1998

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

ORDER FOR RECORD TO REMAIN OPEN UNTIL 2 P.M.

Mr. LOTT. Mr. President, I ask unanimous consent that the RECORD remain open until 2 p.m. today for the introduction of bills and statements.

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

ORDERS FOR MONDAY, MARCH 23, 1998

Mr. LOTT. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 noon on Monday, March 23, and, immediately following the prayer, the routine requests through the morning hour be granted.

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

Mr. LOTT. I ask unanimous consent that immediately following the convening on Monday, the Senate proceed to Calendar No. 326, S. 1768, which is the emergency supplemental appropriations bill for defense and natural disasters.

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

Mr. LOTT. I emphasize on the supplemental that we have now just 2 weeks before the Easter recess period. I am under the impression that there is some increased urgency for this particular bill because of the impact it has on the Department of Defense. These funds would go to replenish the expenditures for the Bosnian operation, and for activities in the Persian Gulf, as well as the natural disasters.

Recognizing that, I thought it would be important that we go ahead and try to get this legislation up, considered, and passed, or ready to be passed, so that when the House acts, they can go to conference immediately. This is at the request of Chairman STEVENS. I know that he has been working very closely with the ranking member, Senator BYRD, on this legislation.

I ask unanimous consent that at 5:30 on Tuesday the Senate proceed to the cloture vote with respect to the Coverdell education savings account bill. This will only be necessary if an agreement cannot be reached in the meantime for an orderly procedure for consideration of the education bill.

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

Mr. LOTT. Mr. President, again perhaps we could come to some agreement, other than going straight to cloture. But if we have not, we will have this cloture vote at 5:30 on Tuesday.

I remind all Senators that under rule XXII, if the cloture vote does occur on Tuesday, then all first-degree amendments will be filed by 1 p.m. on Monday, and second-degree amendments must be filed by 4:30 on Tuesday.

I think Senators have to proceed under the assumption that this cloture vote will occur. I want to also emphasis that this is going to be the cloture vote that really determines whether or not we are going to be able to get this very important legislation completed or not.

PROGRAM

Mr. LOTT. Mr. President, the Senate will lay aside the NATO treaty and begin consideration of the emergency supplemental appropriations bill on Monday. A vote will occur on Monday at 5:30, hopefully, with respect to an amendment on this supplemental appropriations bill, if some are available. If that cannot be arranged, then we will be voting with respect to the Executive Calendar item—at least one. Senators should be on notice that a vote will occur at 5:30 on Monday, March 23.

I hope the Senate can make good progress, if not complete action on the supplemental appropriations bill, by the 5:30 cloture vote on Tuesday.

I really believe that we should be able to finish that bill in just a few hours, actually. I urge all Members who must offer an amendment to restrain themselves and make sure that it is a very important amendment and that it relates to the subjects we have included in this supplemental appropriations.

As Members can determine from the various agreements and announcements I have outlined here, the NATO treaty has been postponed to occur on a later date. Perhaps we can return to it next week. But it depends on what we can get done on the supplemental appropriations and on the education savings account.

For instance, assuming we get cloture, there still could be 30 hours that could be eaten up after that. So rather than continue to go back and forth, I thought we had reached a point where we need to get focused on doing these two bills, and then we will go back to NATO enlargement at a later date.

It could actually now not be back for a concentrated debate and amendments and votes even until after the Easter recess. I had hoped we could have gotten it done earlier. I had hoped we would have it done by now. But we have not received cooperation on any bill that has come up this year, and I can only do so much to try to get the Senate to focus and complete action. If they do not, then I have to turn to other emergency matters.

So once a determination is made that we want to get this work completed, then we will go back to it. But until the Senate indicates a willingness to stay focused and we get a little cooperation and don't have a filibuster fight and a cloture vote on every bill, then it will just have to come up later because I do have Members on both sides of the aisle asking me to delay it. And yet I have tried to go forward with it because I thought it was the right thing to do, and I am willing always to try to do the right thing for our country but not if everybody else is going to be playing games.

So we will just go with this schedule and hopefully next week with cooperation we can complete the Coverdell education savings account bill, the supplemental appropriations, NATO enlargement perhaps even, and then turn to the budget resolution next. Hope springs eternal. I hope it will apply to next week.

ADJOURNMENT UNTIL MONDAY, MARCH 23, 1998

Mr. LOTT. With that, Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 1:40 p.m., adjourned until Monday, March 23, 1998, at 12 noon.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 20, 1998:

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. JAMES E. ANDREWS, 0000.
BRIG. GEN. CLAUDE M. BOLTON, JR., 0000.
BRIG. GEN. ROBERT J. BOOTS, 0000.
BRIG. GEN. JOHN W. BROOKS, 0000.
BRIG. GEN. RICHARD E. BROWN III, 0000.
BRIG. GEN. JOHN H. CAMPBELL, 0000.
BRIG. GEN. BRUCE A. CARLSON, 0000.
BRIG. GEN. ROBERT J. COURTER, JR., 0000.
BRIG. GEN. DANIEL M. DICK, 0000.
BRIG. GEN. PAUL V. HESTER, 0000.
BRIG. GEN. LESLIE F. KENNE, 0000.
BRIG. GEN. TIIU KERA, 0000.
BRIG. GEN. DONALD A. LA MONTAGNE, 3494.
BRIG. GEN. DAVID F. MAC GHEE, 3517.
BRIG. GEN. TIMOTHY P. MALISHENKO, 0000.
BRIG. GEN. GLEN W. MOORHEAD III, 0000.
BRIG. GEN. HARRY D. RADUEGE, JR., 0000.
BRIG. GEN. LEOANRD M. RANDOLPH, JR., 0000.
BRIG. GEN. JAMES E. SANDSTROM, 0000.
BRIG. GEN. LANCE L. SMTIH, 0000.
BRIG. GEN. CHARLES F. WALD, 0000.
BRIG. GEN. TOME H. WALTERS, JR., 0000.
BRIG. GEN. HERBERT M. WARD, 0000.
BRIG. GEN. JOSEPH H. WEHRLE, JR., 0000.
BRIG. GEN. WILLIAM WELSER III, 0000.
BRIG. GEN. MICHAEL E. ZETTLER, 0000.

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. FREDERICK H. FORSTER, 0000.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. LOUIS C. FERRARO, JR., 0000.
BRIG. GEN. DANNY A. HOGAN, 0000.
BRIG. GEN. ROBERT B. STEPHENS, 0000.
BRIG. GEN. GEOFFREY P. WIEDEMAN, JR., 0000.
BRIG. GEN. ROBERT J. WINNER, 0000.

To be brigadier general

COL. MARVIN J. BARRY, 0000.
COL. BRUCE M. CARSKADON, 0000.
COL. JOHN M. DANAHY, 0000.
COL. JOHN D. DORRIS, 0000.
COL. ROBERT E. DUIGNAN, 0000.
COL. SALLY ANN EAVES, 0000.
COL. BOBBY L. EFFERSON, 0000.
COL. WILLIAM F. GORDON, 0000.
COL. JOSEPH G. LYNCH, 0000.
COL. MARK V. ROSENKER, 0000.
COL. RONALD M. SEGA, 0000.
COL. STEPHEN A. SMITH, 0000.
COL. EDWIN B. TATUM, 0000.
COL. KATHY E. THOMAS, 0000.

IN THE ARMY

THE FOLLOWING UNITED STATES ARMY RESERVE OFFICER FOR PROMOTION IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 14101, 14315 AND 12203(A):

To be brigadier general

COL. MICHAEL W. BEASLEY, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. JOHN S. PARKER, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE CHIEF OF CHAPLAINS, UNITED STATES ARMY AND FOR APPOINTMENT TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 3036:

To be major general

BRIG. GEN. GAYLORD T. GUNHUS, 0000.

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. MICHAEL J. AGUILAR, 0000.
COL. JAMES F. AMOS, 0000.
COL. JOHN G. CASTELLAW, 0000.
COL. TIMOTHY E. DONOVAN, 0000.
COL. JAMES M. FEIGLEY, 0000.
COL. EMERSON N. GARDNER, JR., 0000.
COL. STEPHEN T. JOHNSON, 0000.
COL. JAMES N. MATTIS, 0000.
COL. GORDON C. NASH, 0000.
COL. ROBERT M. SHEA, 0000.
COL. KEITH J. STALDER, 0000.
COL. JOSEPH F. WEBER, 0000.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. EDMUND P. GIAMBASTIANI, JR., 0000.

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING RICHARD A. ALLNUTT III, AND ENDING DIANE A. ZIPPRICH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 10, 1998.

IN THE ARMY

ARMY NOMINATIONS BEGINNING RICHARD W. MEYERS, AND ENDING CHARLES M. SINES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 24, 1998.

ARMY NOMINATIONS BEGINNING FREDERICK P. HAMMERSEN, AND ENDING THOMAS M. WALTON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 3, 1998.

ARMY NOMINATIONS BEGINNING JAMES R. AGAR II, AND ENDING *EVERETT F. YATES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 6, 1998.

IN THE MARINE CORPS

MARINE CORPS NOMINATIONS BEGINNING RAYMOND ADAMIEC, AND ENDING GERALD A. YINGLING, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 24, 1998.

MARINE CORPS NOMINATIONS BEGINNING ANTHONY P. ALFANO, AND ENDING JAMES R. WENZEL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 24, 1998.