

the budget must provide for its enactment. The legislation allows uninsured Americans age 62-64 to buy in to Medicare coverage and spread part of the cost throughout their years of eligibility through the regular Medicare program. It allows displaced workers aged 55-62 to buy into Medicare to help them bridge the period until they can find a new job with health insurance or until they qualify for Medicare. It requires companies that drop retirement coverage to allow their retirees to extend their coverage through COBRA until they qualify for Medicare.

This legislation is a lifeline for millions of older Americans. It provides a bridge to help them through the years before they qualify for full Medicare eligibility. It is a constructive next step toward the day when every American will be guaranteed the fundamental right to health care. It will impose no additional burden on Medicare, because it is fully paid for by premiums from the beneficiaries themselves.

In the budget there ought to be the opportunity for us to debate this issue, and if judgment is made that we are going to move forward on it to ensure that we are going to have the votes and not be blocked from moving forward on it because of the failure of the Budget Act, to at least consider that possibility.

#### INVESTMENT IN CHILDREN

Mr. President, everyone knows that investments in children pay off, and focusing the attention of the Nation on a central priority for vast numbers of American parents—the availability and affordability and quality of child care and after-school programs—I believe is essential. There is a shocking lack of child care that meets these three basic tests: Affordability, availability, and quality. It is a dramatic fact of life for millions of families across the Nation. Thirteen million children spend all or part of their day in child care. Five million are left unsupervised after school. Their parents are working parents and deserve to know that their children are not just safe but well cared for.

We must make sure that we take care of our children and have child care development programs. We need to expand the child care development block grant and ensure there is mandatory money to invest in our kids. And we have failed to do so in this budget.

#### EEOC ENFORCEMENT

Mr. President, this year, Congress must commit greater resources to the Equal Employment Opportunity Commission. Although many of my Republican colleagues want to eliminate all forms of affirmative action that have benefited women and minorities, shouldn't everyone—Republicans and Democrats alike—support strong enforcement of our civil rights laws? To do otherwise undermines the promise of equal justice and equal opportunity for all.

The EEOC is the only government agency solely devoted to enforcing our

great civil rights laws—the Civil Rights Act of 1964, the Age Discrimination in Employment Act, and the Equal Pay Act. But, while the agency has received greater enforcement responsibilities, including the Americans with Disabilities Act of 1990 and the Civil Rights Act of 1991—its congressionally appropriated resources have decreased.

The Republican leadership must support its anti-discrimination rhetoric and support the work of this agency. The EEOC needs the tools necessary to quickly investigate charges of discrimination against individuals, as well as patterns of discrimination found in the workplace. I hope my Republican colleagues agree with the sentiment of our former majority leader, Bob Dole. Senator Dole said,

[W]e must conscientiously enforce our antidiscrimination laws. Those who violate the law ought to be punished, and those who are the victims of discrimination must be made whole. Unfortunately, our nation's top civil-rights law enforcer, the Equal Employment Opportunity Commission, is burdened with an unacceptably high . . . case backlog. We must give the EEOC the tools it needs to do its job properly.

The budget must include President Clinton's request for \$270 million for the Equal Employment Opportunity Commission. It is the right thing to do for our country.

I yield the floor.

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER (Mr. GRAMS). The Senator from Alaska.

Mr. MURKOWSKI. Mr. President, am I correct that we are in morning business?

The PRESIDING OFFICER. The Senate is currently considering the concurrent Senate budget resolution.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that I be allowed to speak in morning business for not more than 7 or 8 minutes.

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

Mr. MURKOWSKI. Mr. President, I thank the Chair.

Mr. President, first let me say in response to the recent statement by my good friend from Massachusetts about the degree of compassion associated with the Republican Members of the Senate that I disagree. I am sure that the Budget Committee and its able chairman, Senator DOMENICI, will respond in detail to the generalizations that have been expressed by my friend from Massachusetts. But let me just make one specific point.

We have heard that the Republicans and the Republican budget do not invest enough in education; that they have not adopted the two key plans of the President's budget: \$5 billion for school construction, and \$7.3 billion to hire 100,000 more teachers over the next 5 years.

The facts show that, indeed, the Republicans have kept their word. We have increased education spending by exactly what the President and the Congress agreed to do last year in the

balanced budget agreement. We have provided \$8 billion in additional discretionary education funding over the 5-year period, and in total we will provide close to \$20 billion in kindergarten-through-grade 12 education funding this year. That is a 98-percent increase over the last 10 years.

I would not take criticism relative to the Republicans' commitment to education. It supports exactly what the President has asked for. Again, that is \$20 billion for kindergarten through grade 12 education funding and a 98-percent increase over the last 10 years.

I am sure others on the Budget Committee will address other generalizations in more detail.

#### WARD VALLEY TRESPASSERS

Mr. MURKOWSKI. Mr. President, my purpose in seeking time this morning is to communicate to the other Members of a grievous trespass occurring on public lands, a trespass that would certainly not be allowed in the State of Minnesota or in my State of Alaska.

Today we have a significant standoff in the southern California desert between the Federal Government and trespassers at the Ward Valley site. For several years, the State of California and Governor Wilson have sought to purchase from the Federal Government the 1,000-acre Ward Valley site in southern California out in the Mojave Desert, a pretty inhospitable area. Large transmission lines go over the property. You can hear the buzz of the electrical energy going through those wires. And it has been determined to be a suitable site for low-level waste. California wants to build a low-level waste disposal facility on this Federal property which is located in a federally designated utility corridor, as I have indicated, with the power lines going over it. It is close to an interstate highway. The State of California has proposed to purchase this land from the Department of the Interior. It is appropriate to reflect that this waste has to go somewhere. Nobody wants waste, either high- or low-level, but we have to acknowledge the merits of the technologies that produce the waste. They improve our health. Because most of this waste is biotech, used for the treatment of cancer and other medical uses, x ray and radiological type of medical treatments that we all receive. It lengthens our lives and eases our misery.

Currently this waste is located at just the State of California, over 800 temporary sites throughout the State. Many of these locations are in urban areas, near universities, communities, clinics.

It has been determined that Ward Valley would be an appropriate disposal facility. The State of California, as well as other States, has been given the authority under certain terms and conditions to basically provide long-term waste storage, assuming that the Federal and State criteria are met. In

this case Ward Valley has met the State of California criteria, yet the Department of the Interior refuses to support the selection of this site and move with the land purchase. We have had in a decade of environmental tests. I guess we are stuck with decades and a confirmation by the National Academy of Science—the last word, if you will, in science—that this property is suitable for low-level radioactive waste disposal facility.

It is either this property or leave it where it is, 800 sites throughout California, on the way to schools, churches, shopping centers; facilities that have never been designed to hold this waste. However, the Interior Department still is not satisfied with the tests that have taken place. It is not satisfied with the report from the National Academy of Sciences.

In February of 1996, the Interior Department announced it had planned on conducting additional environmental tests at Ward Valley. Let's do some more tests. These tests were finally scheduled to begin last month, 2 years after the original announcement. That is how long it takes, and I am not sure it is over yet. The tests still have not begun. They have not begun now because protesters at the site have refused to move off the site.

These are protesters, trespassers on Federal land. Last month, the California State Office of the Bureau of Land Management ordered the protesters at the Ward Valley site to relocate by February 18 so the tests could begin. The protesters have been occupying the property for the last couple of years under a land use permit, issued by the BLM. I did not know this, but you can evidently get a land use permit to initiate civil disobedience.

These protesters are already in violation of their original land use permit. They have refused to comply with the February 18 deadline. Incredibly, the protesters, who are clearly trespassing on Federal land, are still there today. February 18 has come and gone. Federal rangers made no effort to evict them from the property. In fact, on February 25 all Federal rangers were withdrawn from the property. The question is, why?

Even more incredibly, over the past 6 weeks the trespassers have now taken control of the property. They now, the trespassers, mind you, refuse to allow the BLM employees access to the property to initiate the testing. The protesters have also refused to allow the U.S. Ecology, the State's licensee who is going to do the test, access to the property for environmental monitoring and refueling of its generators. When the BLM and the U.S. Ecology employees have been allowed to enter the property, they have been frisked by the protesters and all vehicles have been searched by the protesters' so-called security forces.

Isn't that a turnaround? This is Federal property. The trespassers have taken it over and are dictating the

terms and conditions by which the Federal agencies can have access to their own property. Where in the world is the Secretary of the Interior? Where in the world is the Attorney General? As chairman of the Committee on Energy and Natural Resources, I am extremely disappointed with how the Department of the Interior has handled this entire matter. The Department of the Interior is allowing persons who are in clear violation of the law to not only occupy Federal land but also control the Federal land by determining whether or not tests can occur. Even more incredible, the Department is allowing the trespassers, who are now outfitted with knives, cans of Mace and handcuffs, to dictate the terms and conditions under which the Federal employees have access to the Federal lands. What message does this send to our Federal employees? What message does it send to our citizens?

The Department of the Interior says they are in negotiation with the trespassers, who include representatives of environmental groups and Indian tribes. However, there should be no room for negotiation with trespassers. They are just holding the Federal government hostage. The trespassers say that they will not leave Ward Valley until the Department of the Interior promises that no testing will occur and the property will not be transferred to the State of California. So they are saying, in effect, it cannot be used.

The Federal government has spent tens of millions of dollars, to date, on Ward Valley. The State of California has spent tens of millions of dollars. California's licensee alone has spent about \$80 million in preparation for their license to build the facility. Yet, protesters are dictating the terms and solutions. With such an absolute position, well, there doesn't appear to be much room for negotiation.

I have asked the Secretary of the Interior, Secretary Babbitt, to inform me and advise me how he intends to deal with the trespassers on the Department of the Interior land and how he intends to deal with them on other Federal lands he controls. I also want to know what the Department intends to do if the standoff continues. Does the Department intend to allow our public land to be controlled by trespassers? This is an unacceptable and dangerous precedent.

I have also written the Attorney General, Janet Reno. As this Nation's chief law enforcement officer, I want to know how she plans to handle the trespassing at Ward Valley. Does she condone this illegal activity? Is she prepared to enforce Federal law? Will she fully and faithfully prosecute those trespassers? I hope this standoff can be peacefully resolved, but it needs to be resolved now—now, rather than later. It has already been 6 weeks in the making.

Mr. President, I ask unanimous consent correspondence I have directed to both the Honorable Bruce Babbitt, Sec-

retary of the Interior, and Janet Reno, be printed in the RECORD.

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

COMMITTEE ON  
ENERGY AND NATURAL RESOURCES,  
Washington, DC, March 24, 1998.

Hon. JANET RENO,  
Attorney General, Department of Justice, Washington, DC.

DEAR MADAME ATTORNEY GENERAL: For several years, the State of California has sought to purchase from the Federal Government the 1,000 acre Ward Valley site in southern California for the construction of a low-level radioactive waste facility. Before deciding whether or not to transfer the property, the Department of the Interior plans on conducting additional environmental tests. At present, however, trespassers at the site refuse to allow these tests to begin. As this country's chief law enforcement official, this letter is to determine the extent of the Department of Justice's involvement with the current stand-off at the Ward Valley site.

Last month, the Bureau of Land Management (BLM), which manages the site, ordered protesters on the property to relocate so that the tests could begin. The protesters refused to comply with BLM's February 18th deadline and Federal rangers made no effort to evict them from the property. In fact, on February 25th, all Federal rangers were withdrawn from the property. For the past six weeks, the protesters have refused to allow BLM employees access to the property for purposes of conducting additional tests. The protesters, with one exception, also have refused to allow U.S. Ecology—the State's licensee—access to the property for environmental monitoring and refueling of its generators. When BLM and U.S. Ecology employees have been allowed to enter the property, they have been frisked and all vehicles have been searched by the protesters' "security forces."

As Chairman of the Senate Committee on Energy and Natural Resources, which has jurisdiction over this nation's public lands, I am extremely disappointed with how this matter has been handled. Persons—in clear violation of the law—have been allowed to not only occupy Federal land but also control whether or not environmental tests occur at the Ward Valley site. Even more incredible, the trespassers—outfitted with knives, cans of mace, and handcuffs—are dictating the terms and conditions under which Federal employees have access to public land. What message does this send to our Federal employees? What message does this send to our citizens?

To help me, and the Committee, assess this troubling situation, please respond to the following questions by Wednesday, April 1st:

1. Has the Department of the Interior consulted with, or sought assistance from, the Department of Justice on this matter?
2. What must happen before the Department of Justice assumes control over the current stand-off at the Ward Valley site?
3. What is the general policy of the Department of Justice with respect to trespassers on public lands?

Include in your response, the name, title, and phone number of the Department of Justice official with responsibility for monitoring the situation at Ward Valley.

In an effort to assist the Department in preparing thorough and responsive answers to these questions, and to ensure that there is a clear understanding as to the scope and nature of this request. Committee staff is available to meet with your staff to discuss any matter raised in this letter. If you have any questions about this request or if your

staff would like to meet with Committee staff, contact Kelly Johnson, Counsel to the Energy and Natural Resources Committee, at 224-4911. All correspondence regarding this request should be addressed to the attention of Ms. Johnson.

Thank you in advance for your cooperation with the work of the Committee.

Sincerely,

FRANK H. MURKOWSKI,  
*Chairman.*

COMMITTEE ON  
ENERGY AND NATURAL RESOURCES,  
Washington, DC, March 24, 1998.

Hon. BRUCE BABBITT,  
*Secretary, Department of the Interior, Wash-  
ington, DC.*

DEAR MR. SECRETARY: In February 1996, Deputy Secretary John Garamendi announced that the Department of the Interior intended to conduct additional testing at Ward Valley before deciding whether or not to transfer the property to the State of California for a low-level radioactive waste disposal facility. The Interior Department's field tests finally were scheduled to begin last month. These tests have now been indefinitely postponed because of the illegal occupation of the Ward Valley site. I write to find out how you, as Secretary of the Interior, intended to proceed with the tests and handle the protesters at the Ward Valley site.

Last month, the California State Office of the Bureau of Land Management (BLM) ordered protesters at the Ward Valley site to vacate the property by February 18th so that field testing could begin. The protesters refused to comply with the deadline and Federal rangers made no effort to evict them from the property. In fact, on February 25th, all Federal rangers were withdrawn from the property. For the past six weeks, the protesters have refused to allow BLM employees access to the property for purposes of conducting additional tests. The protesters, with one exception, also have refused to allow U.S. Ecology—the States' licensee—access to the property for environmental monitoring and refueling of its generators. When BLM and U.S. Ecology employees have been allowed to enter the property, they have been frisked and all vehicles have been searched by the protesters' "security forces."

As Chairman of the Senate Committee on Energy and Natural Resources, I am extremely disappointed with how the Department of the Interior has handled this entire matter. The Department of the Interior is allowing persons—who are in clear violation of the law—to not only occupy Federal land but also control whether or not tests occur at the Ward Valley site. Even more incredible, the Department is allowing trespassers—outfitted with knives, cans of mace, and handcuffs—to dictate the terms and conditions under which Federal employees have access to public land. What message does this send to our Federal employees? What message does this send to our citizens?

To help me, and the Committee, assess this troubling situation, please respond to the following questions by Wednesday, April 1st.

1. Is the Department of the Interior negotiating with the protesters? If so, what is the status of these negotiations? When will these negotiations be complete? Include in your response, the name, title, and phone number of the Department official responsible for conducting these negotiations.

2. When does the Department anticipate beginning its field tests? When does the Department anticipate completing these tests?

3. Does the Department intend to enforce the BLM's order to the protesters to vacate the Ward Valley site? If so, when?

4. Does the Department intend to enforce the terms of the BLM permit issued to U.S.

Ecology allowing it to collect environmental data at the Ward Valley site?

5. What are the current instructions to Federal rangers regarding surveillance, enforcement of permit conditions, and reports of illegal activities at the site to other law enforcement authorities?

In an effort to assist the Department in preparing thorough and responsive answers to these questions, and to ensure that there is a clear understanding as to the scope and nature of this request, Committee staff is available to meet with your staff to discuss any matter raised in this letter. If you have any questions about this request or if your staff would like to meet with Committee staff, contact Kelly Johnson, Counsel to the Energy and Natural Resources Committee, at 224-4971. All correspondence regarding this request should be addressed to the attention of Ms. Johnson.

Thank you in advance for cooperation with the work of the Committee.

Sincerely,

FRANK H. MURKOWSKI,  
*Chairman.*

Mr. MURKOWSKI. I thank the Chair and wish the occupant a good day.

Mr. JOHNSON address the Chair.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. JOHNSON. I ask unanimous consent to address the Senate for such time as I may consume.

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

#### CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERN- MENT FOR FISCAL YEARS 1999, 2000, 2001, 2002, AND 2003

The Senate continued with consideration of the concurrent resolution.

Mr. JOHNSON. Mr. President, we have before the Senate today, and will have on into next week, the budget resolution which has been reported from Senate Budget Committee, on which I serve. I commend ranking member LAUTENBERG from New Jersey for his leadership as well as Chairman DOMENICI for his work on the budget resolution. Obviously, we have differences relative to some components of the budget resolution. I think the current resolution is significantly lacking in many serious ways. At the same time, however, I want to acknowledge the extraordinary circumstance that we now find ourselves in as Americans here in the spring of 1998.

Many of us recognize that, upon his election 5 years ago, President Clinton faced a pool of red ink totaling around \$292 billion per year, a pool of red ink that had exploded through the 1980s. When President Carter left office, this nation had accumulated a national debt of around \$1 trillion. At the end of the 1980s, the accumulated debt of this country was four times that, in the \$4 trillion range, and growing beyond sight.

After five successive years in reducing the annual budget deficit, we now find ourselves, in this fiscal year, with a budget surplus as measured under the unified budget-scoring system. We are in the black for the first time in 30

years. The last time the Federal Government had a unified budget surplus was in 1969 during the Lyndon Johnson administration when taxes were raised in order to pay for the Vietnam war. We slipped back into deficit again and then drowned in red ink through the 1980s.

So, we find ourselves in an extraordinary time. We must decide what kind of framework our Federal Government should have, and what kind of framework our budget should have, going on into the next millennium. After 5 years of budget discipline—in no small measure as a consequence of a very difficult vote on the 1993 budget reconciliation bill, which laid much of the groundwork for this progress—we find ourselves with record low inflation, record low unemployment, one of the highest levels of housing ownership that we have seen in decades, record low levels of crime and, again, the first budget surplus, at least under a unified budget, that we have seen in 30 years.

Where do we go from here? That is the question that the pending budget resolution asks. This is not just a budget issue. This is one that really reflects the values and the priorities and the philosophy of the American people. It has enormous ramifications for us all.

There are some very fundamental areas where the two political parties are in agreement on the budget resolution. I am thankful for that. I am pleased we have found common ground, first of all, in deciding that the budget resolution should sustain and continue the budget discipline mechanism that has been a factor in producing a budget surplus for the first time in 30 years. We will continue on a pay-as-you-go basis. No more new spending unless the cost is offset by spending decreases or revenue adjustments; no more tax cuts, even in an election year, unless those cuts are paid for by reduced spending or revenue increases somewhere else in the budget.

This is the kind of discipline that one would have thought should have been present in our Government for 200 years but, in fact, has been present for just this past decade. It is the kind of discipline that we must sustain. While there are some who, I think, are expressing some sense of giddiness over a budget surplus, we need to recognize that that surplus will remain only with continued budget restraint and discipline; that we must face the question of budget priorities; and that the election year Christmas trees that took place in the past are no longer an accepted part of budget strategy in this day and age.

Secondly, there is agreement between the parties, at least in the Senate Budget Committee, that the so-called budget surpluses ought to be preserved for the purpose of strengthening Social Security. We ought not to run off in any number of directions with tax cuts or spending increases premised on utilizing those particular