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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. THURMOND).

The PRESIDENT pro tempore. Today's prayer will be offered by a guest Chaplain, Father Robert J. Sweeney, National Chaplain of the American Legion, Greenwood Lake, NY.

PRAYER

The guest Chaplain, Father Robert J. Sweeney, National Chaplain of the American Legion, Greenwood Lake, NY, offered the following prayer:

Let us pray:

God of our fathers; throughout the history of this great and glorious Nation, our leaders have turned to You for guidance. On bended knee, from Bunker Hill to Gettysburg, our leaders have called upon Your consoling presence. Help us to realize that our Nation has been consecrated to Your service. Aware of the obligation that goes hand in hand with this responsibility, may we help all those in need.

We acknowledge that we are ''one Nation under God.'' We seek Your righteousness. Stretch forth Your healing wings that we might follow Your example of healing and stretch forth our hands in a generous spirit, as we have heard: ''It is more blessed to give than to receive.''—Acts 20:35.

Omnipotent Father, be with the women and men of this Senate. Grant unto them Your grace; open their hearts and minds that they may hear the needs of their constituents and respond for the common good of all.

Send Your Spirit upon us and take away our doubts and fears that we might join together, without regard to political affiliations. Bless our Senators. May they be prudent and wise and ever aware of Your presence. May they always advance the cause of peace with justice throughout the world. Amen.

The PRESIDENT pro tempore. The able senior Senator from New Mexico is recognized.

Mr. DOMENICI. I thank the distinguished President.

SCHEDULE

Mr. DOMENICI. On behalf of the majority leader, I would like to make the following announcement.

This morning, the Senate will begin consideration of S. Con. Res. 20, the budget resolution, with up to 35 hours for debate. Members should expect the next couple of days of session to be longer than usual, with rollcall votes beginning early each morning and continuing late into the evening. The cooperation of all Senators will be necessary in order for the Senate to complete its work prior to the beginning of the Easter recess. Senators who plan to offer amendments to the budget resolution should contact the managers of the bill in order to facilitate a smooth and orderly process during the consideration of the resolution.

I thank colleagues in advance for their cooperation.

Mr. President, yesterday my good friend, the chairman of the Appropriations Committee, asked if he might make a statement this morning that he considers very important, historically. I yield the floor to let him make that statement. I yield him as much time as he desires.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I am grateful to my friend from New Mexico.

10TH ANNIVERSARY OF THE ''EXXON VALDEZ'' OIL SPILL

Mr. STEVENS. Mr. President, today is the 10th anniversary of the *Exxon Valdez* oil spill in Alaska.

I want to use this opportunity to reflect on the impact that disaster had on the land and people of my State.

I still remember traveling to Alaska to view the damage caused by the *Exxon Valdez* in Prince William Sound.

Believe me, Mr. President, it is a sight I never want to see again.

At that time, I referred to the huge oil slick battering against the shoreline as ''the black blanket of the *Exxon Valdez*.''

And while that spill caused serious damage to our wildlife, our environment and our people, that black blanket has had somewhat of a silver lining.

I refer to the Oil Pollution Act of 1990—OPA '90.

Congress and the Department of Defense are currently looking at implementing a ''national missile defense system'' to protect the United States from incoming ballistic missiles.

I consider OPA '90 to be the ''National Oil Spill Defense System'' that protects the United States from future oil spills.

OPA '90, as many Senators will recall, was signed into law on August 18, 1990.

It is important to note that OPA '90 has not been significantly revised since 1990—and at present, there has not been any push for comprehensive revisions.

It is a testament to the act itself that it has not needed major revisions.

Some of the provisions of OPA '90 were under consideration prior to 1989, but unfortunately, it took the *Exxon Valdez* spill to bring about a comprehensive approach to our national system of oil spill prevention and response.

Congress enacted OPA '90 only 17 months after the spill—a very short period of time given the scope of the legislation.

That landmark piece of legislation created a new national framework that focuses on both the prevention of spills and the response to spills.

It was written to reduce the chances we will ever have another spill of the magnitude of the *Valdez*—anywhere.

That act, and the actions it mandates, has already vastly improved the response system for lesser spills.

On a national level, OPA '90—

(1) Required the phase-in of double-hull oil tankers—which has begun and will be completed by the year 2015;

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

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(2) Required improvements to vessel traffic systems and to vessel communications and warning equipment;

(3) Brought about stringent background checks and manning standards for tank vessels;

(4) Required the United States to seek better international oil spill prevention and response measures;

(5) Clearly defined the liability of tank vessel owners and operators;

(6) Required the creation of a national contingency plan and response system, as well as area contingency and response plans.

These prevention measures are vitally important if we are to ensure the safe transportation of oil in our waters.

As a result of OPA '90 spill response equipment must be pre-positioned in strategic locations all over the country.

By doing this, we greatly increase the response time for a future oil spill, God forbid it ever happens again.

The national and area contingency plans required by OPA '90 are the primary reason the response to oil spills has become so quick.

Unlike when the *Valdez* disaster occurred, if a spill occurs today, it should be literally a matter of minutes before a response plan is executed.

By requiring contingency plans, OPA '90 forces planning for potential spills in a comprehensive manner.

A large part of the credit for the implementation of the new plans should go to the Coast Guard and I have commended it for the tremendous work it has done in the past 10 years in developing the national and area plans.

In addition to the national measures put in place by OPA '90, it contained a number of measures specific to Alaska and Prince William Sound.

The act required the installation of a marker and light on Bligh Reef.

It required tankers in Prince William Sound to be escorted by at least two tugs and to have two local pilots on their bridge.

It required the creation of a vessel traffic system for Prince William Sound—including an alarm system to warn if vessels deviate from the designated navigation routes.

It prevents the *Exxon Valdez* tanker from ever entering Alaska water again—no matter what name it sails under or how many structural improvements it undergoes.

While this provision is largely symbolic, it goes to the heart of how Alaskans feel about the disaster and our state.

We take pride in keeping our environment and wildlife clean and safe, and we expect visitors to our state to do the same.

In addition to the regulatory requirements set forth in OPA '90, the act created two regional citizens' advisory councils.

These councils give Alaskans a voice in the development of oil spill prevention and contingency measures.

Over the past 10 years these councils provided dialogue allowing Alaskans and the oil industry to work beyond differences in a positive manner.

The main goal of all parties involved is the prevention of further disasters.

That is the only true way to ensure that we never have to clean oil off Alaska beaches again.

I have thanked the many Alaskans who have served on the regional citizens' advisory councils for the improvements they have helped bring into being.

They could have turned their backs on the oil industry, but they deserve a great deal of credit for choosing to work with the industry rather than trying to make a bad situation worse.

OPA '90 also required the creation of the oil spill recovery institute in Cordova.

The institute's mission is to evaluate the long term effects of the *Exxon Valdez* oil spill on the environment and the people and animals of Prince William Sound—and to refine the world's knowledge about arctic and subarctic oil spills.

Incidently Mr. President, I have been to that institute in Cordova, and I must say that they are doing great things, and I encourage them to keep up the good work.

It took a number of years to secure the funding for the institute, but in 1996 we managed to create a dedicated fund.

For a 10 year period that began in 1996, the Oil Spill Recovery Institute will receive the annual interest from $22.5 million that is currently on deposit in the Oil Spill Liability Trust Fund.

The Oil Spill Liability Trust Fund was a centerpiece of OPA '90.

The law made ''responsible parties'' liable for the costs of cleaning up oil spills.

As you know, Mr. President, it is not always possible to obtain clean-up funds from responsible parties in time to adequately respond to spills.

The Oil Spill Liability Trust Fund was created to ensure that funds are available to respond to oil spills in the United States.

This is another area where the Coast Guard deserves credit for its superb efforts in recovering costs from responsible parties.

You will be glad to know that many of the species negatively affected by the oil spill are making a strong comeback.

Mother nature is responding.

I am pleased with the environmental efforts and the progress made in putting new prevention measures in place.

It is my hope that one day my grandchildren will be able to ask me ''Grandpa, what's an oil spill?''

I think OPA '90, and the efforts of everyone involved in the oil industry, will help to bring about that wish.

Mr. President, I do not normally come before the Senate to talk about a terrible day, but I come today to talk in the spirit of remembrance. As I said, this is the 10th anniversary of the *Exxon Valdez* oilspill in my State. I want to use this opportunity to reflect on the impact that disaster had upon the people of my State and on Prince William Sound.

I remember that was just the beginning of the Easter recess and I had left for vacation with my family when I got that call that told me of this disaster, and I had to fight to get reservations to get back, but I did get back to my State. I flew to Prince William Sound to view the damage that was there. I had talked to my good friend, former Senator Henry Bellmon, Governor of Oklahoma, about that, and asked him if he had any advice. He said find some way to burn it.

I went down to the *Valdez* to see if there was something I might do to encourage that, following that advice. At the time I flew down by helicopter with the Commandant of the Coast Guard, Admiral Yost. We flew over a sickening black blanket on the Nation's largest inland sound. Prince William Sound is a place where I have spent a lot of time, fishing and traveling with friends. It is a beautiful place. Yet that day, that black blanket oozing out of the *Exxon Valdez* left a memory I shall never forget. That spill caused serious damage to our wildlife, to our environment, and to our people. It is hard, today, to remember anything except that great tragedy.

The wind kept spreading that oil. As a matter of fact, I flew up to Alaska with our friend, the oceanographer from the University of Alaska, Mr. Royer, who told me what was going to happen. He predicted correctly that that oil would go out of the Prince William Sound and start down the Aleutian chain. If it went through the pass in the chain, it was going to cause enormous damage to the breeding grounds for Alaska's fisheries.

It was a sad day, and I come today with a feeling of sadness.

In view of all the publicity that has been given to this terrible tragedy, I also want to talk about what I call the silver lining that came as a result of that spill. That silver lining was the Oil Pollution Act of 1990. We call it OPA '90. Congress and the Department of Defense are currently looking at implementing a national missile defense system to protect the United States from incoming ballistic missiles. I consider OPA '90 to be the national oilspill defense system that protects our Nation from future oilspills.

It was as a result of the terrible tragedy in our State that Congress enacted these provisions. As many Senators here will recall, that law was signed on August 18, 1990. It has not been revised since that time. I do not know of any push for any revisions. That is a testament to that act in itself, that it has not needed major revisions in this period.

Some of the provisions of OPA '90 were under consideration prior to that act, but unfortunately, they had no impetus. It took the *Exxon Valdez* disaster to bring about a comprehensive

approach to our national system of oilspill prevention and response. We enacted that bill just 17 months after the spill, really a very short time, given the scope of the legislation.

This landmark piece of legislation created a new national framework that focuses on both prevention of spills and response to spills. It was written to reduce the chances that we will ever have another spill of the magnitude of the *Valdez* anywhere under the American flag. That act, and the actions it mandates, has already vastly improved the response to lesser spills.

I want to point out some of the things it has done. We have greatly increased the response time—that is, decreased the time it takes—we have increased the ability to respond in time to spills that may take place in our waters. As a result of that act, we have spill response equipment pre-positioned in strategic locations all over the Nation. The national and area contingency plans required by OPA '90 are the primary reasons the response to oilspills has become so quick. Unlike when the *Valdez* disaster occurred, if a spill occurs today, it should literally be a matter of minutes before a plan is put into effect and executed. By requiring contingency plans in advance, OPA '90 forces planning for potential spills in a comprehensive manner.

Mr. President, the main goal of all parties involved in that act was the prevention of future disasters. That is the only true way we can ensure that we will keep the beaches in Alaska and throughout our Nation free of oil.

I have thanked many Alaskans who have served on the regional citizens advisory councils for the improvements they have helped bring into being.

Mr. President, at my request, that act was amended to assure that there would be specific Alaska provisions in it. In addition to the national measures put into place by OPA '90, it contained, at my request, a number of measures specific to Prince William Sound in Alaska. It required the installation of a marker and light on Bligh Reef. It required tankers in Prince William Sound to be escorted by at least two tugs and to have two local pilots on the bridge. It required the creation of a vessel traffic control system for Prince William Sound, including an alarm system to warn if vessels deviated from the routes they had designated at the time they left the pier.

It prevents the *Exxon Valdez* tanker from ever entering Alaskan waters again, no matter what name it sails under or how many structural improvements it undergoes. That provision is largely symbolic, but it goes to the heart of how Alaskans feel about that disaster.

The only true way to ensure that we will never have to clean Alaskan oil off Alaska beaches again is to implement the plans and maintain the systems that OPA '90 requires.

I hope that the Nation will not lose heart, that it will continue to fund the facilities and the pre-positioned equipment that we require. For a 10-year period that began in 1996, we have created in Alaska an Oilspill Recovery Institute in Cordova. We also have an oilspill lab with a trust fund created to assure that funds are available to respond to oilspills throughout the United States.

Let me close by saying that I want to report to the Senate that many of the species that were affected by the oilspill are making a strong comeback. Mother Nature in the sound is responding. The environmental efforts that we have made and the progress we have made with putting into effect the new prevention measures have, in fact, deterred future spills.

It is my hope that one day one of my grandchildren will ask me, Grandpa, what is an oilspill? I believe that we have gone a long way to making oilspills of the magnitude that I saw 10 years ago today a memory. I hope it remains a memory.

Mr. President, I thank my friend for yielding.

RESERVATION OF LEADER TIME

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

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2000

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to consideration of S. Con. Res. 20, which the clerk will report.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 20) setting forth the congressional budget for the United States Government for fiscal years 2000 through 2009.

The Senate proceeded to consider the concurrent resolution.

The PRESIDING OFFICER. The Senator from New Mexico.

PRIVILEGE OF THE FLOOR

Mr. DOMENICI. Mr. President, I ask unanimous consent that the staff of the Senate Budget Committee, including fellows and detailees named on the list that I send to the desk, be permitted to remain on the Senate floor during consideration of S. Con. Res. 20.

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

Mr. DOMENICI. I ask unanimous consent the list be printed in the RECORD.

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

STAFF LIST: SENATE COMMITTEE ON THE BUDGET

MAJORITY STAFF

Amy Call.
Jim Capretta.
Winnie Chang.
Lisa Cieplak.
Allen Cutler.
Larry Dye.
Beth Felder.
Rachel Forward.
Alice Grant.
Jim Hearn.
Bill Hoagland.
Carole McGuire.
Mieko Nakabayashi.
Maureen O'Neill.
Kristin Omberg.
Cheri Reidy.
Brian Riley.
Amy Smith.
Bob Stevenson.
Marc Sumerlin.
Winslow Wheeler.
Sandra Wiseman.
Gary Ziehe.

MINORITY STAFF

Amy Abraham.
Claudia Arko.
Jim Esquea.
Dan Katz.
Bruce King.
Lisa Konwinski.
Martin Morris.
Jon Rosenwasser.
Paul Seltman.
Jeff Siegel.
Barry Strumpf.
Mitch Warren.

ADMINISTRATIVE STAFF

Kelly Creighton.
Alex Green.
Sahand Sarshar.
Lamar Staples.
Lynne Seymour.
George Woodall.

Mr. DOMENICI. On behalf of Senator LAUTENBERG, I ask unanimous consent that Sue Nelson and Ted Zegers be granted the privilege of the floor during consideration of the resolution.

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

Mr. DOMENICI. Mr. President, I ask consent the privilege of the floor be granted to the following members of my staff, of the Budget Committee staff on the Republican side: Austin Smythe and Anne Miller.

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

Mr. DOMENICI. Mr. President, I ask unanimous consent that the presence and use of small electronic calculators be permitted on the floor of the Senate during consideration of the fiscal year 2000 concurrent resolution on the budget.

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

Mr. DOMENICI. Mr. President, I assume we are now on the resolution and time is now running under the 35 hours that remain.

The PRESIDING OFFICER. The Senator is correct.

Mr. DOMENICI. Mr. President, I am quite sure my friend Senator LAUTENBERG would concur that we all know, more or less, what the issues are. We have gone through the Budget Committee and most of the major issues have been debated there and amendments offered—some accepted, some failed. I don't think there is really any reason we cannot finish at a reasonable time and take this recess if Senators on both sides cooperate.

I urge that on my side also. There is tentatively, on my side—I know when we talk to them that it is not going to

remain this way, but they are talking about 30 or 40 amendments, almost all of which are sense-of-the-Senate amendments. We will never get out of here if that happens. Normally the minority has about twice as many. So add that up and we will have 120. We could just start voting now and we would not go home for the recess. So I urge we consider our own well-being and what is really necessary to get this job done.

Mr. STEVENS. Mr. President, I am constrained to say to the Senator from New Mexico, I thought I had problems on the supplemental bill.

To hear about this number of amendments is staggering.

Mr. DOMENICI. Mr. President, I am going to attend a hearing for about 25 or 30 minutes, and we will have a Budget Committee Senator down very shortly. In the meantime, Senator STEVENS is given whatever privileges I have.

I yield to Senator THURMOND as much time as he desires. I will give him that time off the bill.

The PRESIDING OFFICER. The Senator from South Carolina.

BAD NATIONAL DEFENSE POLICY

Mr. THURMOND. Mr. President, bad national defense policy is about to get us into serious trouble—again. As I speak, United States Armed Forces are in direct danger because they are being used as social workers in a very dangerous country—Haiti. Most Americans will be greatly surprised that I am saying the United States Army is still in Haiti. Why are most Americans surprised? Because it has been more than 4 years since the September day in 1994 when the President sent a force of 20,000 troops to this island. Despite what the United States did in Haiti, not much has changed, except that the United States force has become tiny and in a great peril. No elected official has been able to bring peace or democracy to Haiti. Factional fighting has immobilized the government and stymied efforts at economic recovery. The factionalism has provoked assassinations and bombings reminiscent of the bad old days.

Fortunately, Congress has been put on-call by a voice of honesty coming from our uniformed ranks. Last month, General Wilhelm, Commander of the U.S. Southern Command, directly and honestly described the mounting danger surrounding his troops. The 500 United States military personnel left to help prop up Haiti are doing mostly social work and spending much of their time defending themselves from attack. Let me be clear about what kinds of work our troops in Haiti are doing. They are not fighting an enemy. They are involved in tasks like digging wells, providing medical services, and training police and military officers. Such work might be understandable if it contributed to stability. It is not. The 500 United States troops still in Haiti spend much of their energy just trying to protect themselves against those they came to help. Unfortunately, it is now difficult for the administration to accept a clearheaded understanding of these dire circumstances and call for a pullout. Doing so will concede the failure of a peacekeeping mission regularly touted as one of the shining achievements of recent years.

The list of the administration's failed peace missions is long and growing. I am unconvinced that trying to resuscitate these failed nation-states is in the U.S. vital interest. The costs of U.S. involvement in peacekeeping are not in our national interests and should be reduced. The price tag of the Bosnia mission, for example, has already hit $12 billion, with no end in sight. Haiti has cost more than $2 billion. However, today the 500 soldiers in Haiti—mostly Army reservists rotating through on short-term assignments—remain in Haiti at a cost of about $20 million last year.

The question is simple: Is it in the United States' best interest to have our troops in imminent danger, preoccupied with defending themselves against people whom they have come to help, who have shown little inclination for reform at a cost of $20 million annually to America? This is the path down which the administration has taken the United States. We are now involved in a steady run of civil wars without clear solutions which involve failed nation-states. We will soon drown in this kind of foolishness. Stemming civil wars should not be the main strategic challenge for the United States. These kinds of misadventures do not really engage the strategic interest of the United States. Certainly, such ill-conceived adventures do arrogantly endanger our troops.

Because of this, I call on the administration to swiftly withdraw the 500 service men and women who are currently in Haiti.

Mr. President, I yield the floor.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2000

The Senate continued with the consideration of the concurrent resolution.

Mr. LAUTENBERG. Mr. President, today we begin our annual pilgrimage to establishing a budget for the next fiscal year. The first year of the new millennium is almost upon us, and we are moving at a fairly rapid pace to get this budget into place, as contrasted to some of the experiences we have had in the past. I commend our chairman, Senator DOMENICI, for his lending the urgency that he has to getting this job underway.

Lest it be misunderstood, Mr. President, that does not mean I agree with everything that we have come up with. But we are moving the ball, as they say, and we will have a chance to amend or debate the budget resolution as it passed the Budget Committee.

As we begin our work on a budget for a new century and a new era in our Nation's economic history, we do it with the knowledge and the satisfaction that at long last, America has put its fiscal house in order.

At the same time, we still face serious long-term questions. The key question facing Congress is whether we meet those challenges and prepare for the future, or whether we will yield to short-term temptation at tomorrow's expense.

Democrats are committed to focusing on the future. Our top priority is to save Medicare and save Social Security for the long term by reducing our debt and increasing national savings. We also want to provide targeted tax relief for those who need it most, and that is the average middle-class family in America. We want to invest in education and other priorities.

Our friends, the Republicans, have a different view. Their plan focuses on tax breaks, largely for the wealthy. These tax breaks, whose costs would increase dramatically in the future, would absorb resources that are needed to preserve and to save Medicare.

That, when you get right down to it, is really the main issue before the Senate: Should we provide tax cuts, many of which will benefit the wealthy, or use that money to save Medicare? It is as simple as that.

Of course, there is a lot more to the budget resolution before us, so let me take some time to explain why I, like every other Democratic member of the Budget Committee, strongly opposed this resolution. There are four primary reasons.

First, as I have suggested, it fails to guarantee a single extra dollar for Medicare. Instead, it diverts the funds needed for Medicare to pay for tax cuts that, again, benefit the wealthy fairly generously.

Second, it does nothing to extend the solvency of the Social Security trust fund. In fact, it could block President Clinton's proposed transfer of surplus funds to help extend solvency.

Third, I think it is fiscally dangerous. The resolution proposes tax cuts that begin small but that explode in the future. Some are around $13 billion in the first year the budget goes into place, up to $180 billion—$177 billion—expected in the tenth year, just when the baby boomers are beginning to retire.

And fourth, it proposes extreme and unrealistic cuts in domestic programs. These could devastate public services if

enacted. More likely, Congress, in my view, is going to be unable to pass appropriations bills, and we will face a crisis at the end of this year that could lead to a complete Government shutdown.

I want to address each of these problems in turn, Mr. President.

Medicare's hospital insurance trust fund is now expected to become insolvent in the year 2008. It is critical that we address this problem and we do it soon. We need to modernize and reform the program to make it function more efficiently, but it is clear that also we will need additional resources.

As part of an overall solution, President Clinton proposed allocating 15 percent of projected unified budget surpluses for Medicare. This would extend the solvency of the trust fund for another 12 years, to 2020. Unfortunately, the budget resolution rejects that proposal. Instead of using projected surpluses for Medicare, it uses almost all of them for tax cuts. The budget resolution does not specify the details of the tax cuts because they will be drafted later in the Finance Committee. However, the chairman of the Finance Committee, Senator ROTH, has said recently that he wants to provide a 10-percent cut in tax rates.

Under that proposal, the top 1 percent of Americans with incomes over $300,000, and average incomes of more than $800,000, would get a tax cut of more than $20,000. And those in the bottom 60 percent, incomes under $38,000, would wind up with $99, less than 100 bucks.

Other major GOP proposals for tax cuts, which involve estate taxes and capital gains taxes, are similarly regressive and unfair. Giving away disproportionate tax breaks to the wealthy would be bad enough, but the GOP tax breaks would come at the direct expense of Medicare, and that is wrong.

Under the Republican plan, not one penny of projected surpluses is guaranteed for Medicare. The resolution does reserve about $100 billion for unspecified uses over 10 years. But that is far less than the $350 billion the President wants for Medicare over 10 years. More importantly, none of the $100 billion is actually reserved for Medicare.

In fact, the chairman indicated that this amount may be used for unexpected emergencies or contingencies, and those alone could easily use up all this money. Emergency spending averages $9 billion a year, more than the resolution's annual reserve for each of the next 5 years. Even over 10 years, we can expect to consume at least 90 percent of this projected reserve to respond to emergencies.

Mr. President, the Republican refusal to provide additional resources for Medicare would have a direct impact on the millions of Americans who will depend on Medicare for their health services in the future. The resolution almost certainly would mean higher health care costs, higher copayments for the individuals, their share of the bill, higher deductibles—that means it does not kick in until the levels of costs directly to the individual have risen—and potentially lower quality health care services, and probably fewer hospitals, all because the majority insists on providing huge tax breaks for wealthier Americans.

Beyond Medicare, the second major problem with the Republican resolution is that it does nothing to extend the solvency of the Social Security trust fund. Currently, Social Security is projected to become insolvent by the year 2032. President Clinton is determined to extend the solvency until 2075 and has proposed specific policies to get us to the year 2055, as certified by Social Security actuaries.

The Republicans have been critical of the President's proposals to invest some of the Social Security funds in the private market and to transfer debt held by the public to the trust fund. Unfortunately, they propose nothing to increase the resources available to Social Security. In fact, their resolution is specifically designed to block the President's proposed transfer of surplus funds for Social Security.

The bottom line, when it comes to Social Security, is clear. President Clinton's budget extends solvency through the year 2055. The Republican plan does not add a single day of security.

The third major problem with the resolution is that it is fiscally risky. The resolution calls only for small tax cuts in the first year or two. But the cost of those tax cuts explode in the future. And by 2009, as I said earlier, when the baby boomers will begin retiring, the tax cuts will drain the Treasury of more than $180 billion in that year. That is not fiscal responsibility.

The final problem with the Republican plan is that it includes extreme cuts in programs for Americans here at home. Total nondefense discretionary programs—to be absolutely clear, the discretionary programs include defense and nondefense—total nondefense discretionary programs would be cut in the first year from $266 billion in the current year, not including emergency spending, to $246 billion in the year 2000.

One does not have to be a mathematician to recognize that is a significant change—from $266 billion to $246 billion in 1 year. Arithmetically, it looks like a 7.5-percent cut—and that does not sound like a lot—but the real cut in most programs would be much deeper. And I assure you that 7.5-percent cut, at a minimum, is a very significant, painful exercise for those who are depending on some of our Government programs. And I am not talking about wasteful programs; I am talking about fundamental programs like WIC and border guards and FBI agents and DEA agents.

Keep in mind, the resolution claims to increase or maintain funding for a handful of favored programs, like new courthouses, TEA 21, our transportation program, for the next 6 years, the census, National Institutes of Health, and some crime and education programs. Those are the protected programs.

That leaves the other unprotected programs facing cuts of about 11 percent—everything from environmental protection to the national parks, the FAA, the Coast Guard, the Immigration and Naturalization Service Border Patrol, FBI, NASA, job training, and Head Start. These are successful and important programs.

When we say that these cuts are going to be 11 percent in the first year, that is being pretty conservative, because we are ignoring the fact that the cuts increase significantly in the future to 27 percent in the year 2004, a 27-percent cut for the American people.

Just to put the picture straight, imagine a 27-percent cut in wages, a 27-percent cut in spending power. It would be an awful tragedy for most families.

Second, the 11-percent figure that we talked about in the first year represents a cut from 1999 levels. To make it clear, our fiscal year ends September 30 for 1999; and on October 1 we kick in with the budget for the year 2000. That does not anticipate any inflation impact.

Thirdly, there is another problem with the Republican budget. It significantly underestimates the outlays that would flow from its present levels of defense appropriations. If those outlays are estimated to be consistent with historical levels, the cuts in nondefense discretionary outlays would be as high as 21 percent in the first year.

I know that we are talking about a lot of different changes in the percentages. But it looks like the minimum could be 11 percent, and we could be looking at a figure as high as 27 percent in the nondefense discretionary programs.

Mr. President, I am going to give our Republican friends, the majority, the benefit of the doubt. I am going to, for the moment, not talk about the deeper cuts in the outyears. I am going to leave out, ignore, the effects of inflation. And I am not even going to consider this dramatic underestimate of defense outlays. I am going to start with this very conservative figure of 11 percent and consider what a cut of this magnitude would mean for domestic programs next year. Next year, again, starts October 1.

Here are a few examples, based on administration estimates:

That we would lose 2,700 FBI agents. I ask you, is this a time when it seems appropriate to be cutting back on FBI agents? When terrorism in this country is a real threat? When we are trying to stop crimes? We are adding crimes to the list of crimes that are going to be tried in Federal courts. So 2,700 FBI agents.

Thirteen hundred and fifty Border Patrol agents. We have heard from

many of our colleagues, Republican and Democrat, who live in border States and talk about the problems they have from California, through New Mexico, through Arizona, Texas, about those who illegally cross the border, pleading for more help, pleading for an opportunity to contain this illegal immigration flow. We are talking about reducing Border Patrol agents to the tune of 1,350? How do our friends who represent those border States feel about this?

Drug agents: 780 DEA drug enforcement agents would be lost. Now, if there is a more distracting problem in our society than drugs, I don't know what it is. The overrunning of our young people by drug influences is something that we can't tolerate, that we search for solutions to, at our wit's end.

One thing we know: While having enough drug enforcement agents alone doesn't solve the problem, take them away and we will see what happens to the flow of illegal drugs into this country.

Ninety thousand, two hundred fewer workers, dislocated as a result of industry shifts, plant closings, et cetera, would receive training, job search assistance, and support services—90,000 people would be left without the training necessary to move to different job situations if their job is lost.

Thirty-four thousand low-income children would be without child care assistance.

Over 1.2 million low-income women, infants, and children would lose nutrition assistance every month. That program is commonly known as the WIC Program. It is a very effective program. In a country like ours, with the bounty that we have from lots of natural resources, industry progress, people who are skillful, intelligent, who are hard working, lots of people making money—we talk today about the billionaire class as we used to hear 40 years ago about the millionaire class—and we want to permit 1.2 million low-income women, infants, and children who need the nutritional assistance that this program offers to lose it? I will not stand by and let that happen.

FAA operations: Our aviation industry is booming. People cannot get seats in lots of situations. What do we worry about? We have lots of delays, we have concerns about safety and security and the lack of critical modernization technologies. FAA operations would be cut by almost $700 million. If we think the delays are bad now, hold on to your seat, because they are going to get worse.

Safety: We will focus on safety to make sure things are maintained, but we also want to protect ourselves against possible terrorist attacks, keeping people off the airplanes to make us more secure.

On the environment, roughly 21 Superfund toxic waste sites would not be cleaned up as a result of these cuts. They needlessly jeopardize public health.

Up to 100,000 children would lose the opportunity to benefit from Head Start. Head Start is an early preschool program that gives children who are typically from a disadvantaged situation a chance to understand the learning process, to get incentives to learn, to understand that learning is fun, that knowledge is beneficial. Take away that from 100,000 children? I don't know how we can do it. I don't know how, with a clear conscience, we can say, ''Go ahead, listen, too bad, take your chances.'' We know who pays the price. All of us pay the price. It is only a matter of when. It is much cheaper to give these kids a head start than to later deal with those who might turn to crime or drugs as a way to work their way up the social and economic ladder.

We would eliminate 73,000 training and summer job opportunities for young people.

As I earlier said, these are conservative figures, yet these types of cuts are clearly painful. In my view, they are dangerous. Unfortunately, under this resolution, the problem gets dramatically worse in later years. By the year 2004, the nondefense reductions grow to about 27 percent. Again, that doesn't include the effects of inflation nor any underestimation of defense outlays which loom large in front of us now. We have to wonder whether the Republicans are serious about cutting domestic programs by 27 percent. It is hard to believe, especially when there are virtually no details provided about where those cuts would fall.

Some Republicans have argued that these cuts are required because of the discretionary spending caps which remain in effect through the year 2002. That is not true. Much of the program for domestic programs is created because the resolution increases military spending by $18.2 billion over last year's level. Since all discretionary spending is now under a single cap—that is, defense and nondefense—that extra money must come directly from domestic programs.

President Clinton has also made it clear that we should increase funding for high-priority discretionary programs such as education and the military once we save Social Security. By contrast, the Republican plan establishes unrealistically low discretionary spending levels that would apply, regardless of whether we approve Social Security reform legislation.

Cutting domestic programs by 27 percent in 2004 is not realistic. When it comes to cutting specific programs, Congress almost certainly will not follow through. The votes won't be there to do it.

In other words, this budget resolution is a roadmap to gridlock. The results could be disastrous. If we can't pass appropriations bills, we face the prospect of yet another Government shutdown. Nobody wants that, of course, but it could happen.

Why, then, are we considering a budget resolution that even some Republicans admit can't be enacted into law? The answer is simple: They are desperate to claim that they are for tax cuts. They just don't have a clue on how to pay for them. They don't want to guarantee Medicare a single new dollar, but they are still not even close to identifying sufficient offsetting savings to pay for their tax cuts.

We are left with a budget that deals with fantasy, a budget that everybody knows isn't going to be worth the paper it is written on. In the end, there is only one way out. The majority party, the Republicans, have to get real. They can't continue to insist on huge tax cuts if they are not willing to pay for them.

So, in sum, Mr. President, let me quickly recount the four reasons why I oppose this budget. I do it with respect for the chairman. We worked hard together, but we just could not agree on what a budget would look like.

First, it doesn't guarantee a single additional penny for Medicare. Instead, it takes money needed for Medicare and uses it for tax cuts that will benefit the wealthy.

Second, it does nothing for Social Security. In fact, it doesn't extend Social Security's solvency by a single day.

Third, it is fiscally risky. It calls for huge tax cuts whose costs explode in the future, just when the baby boomers will be retiring.

Finally, its cuts in domestic programs are extreme. If they were ever enacted, they would seriously disrupt important and essential public services. But, more likely, Congress will never really approve them and we will again be facing a disastrous threat of a Government shutdown.

For all of these reasons, Mr. President, I am deeply disappointed by this budget resolution. I hope that we are going to be able to work together and make what I consider badly needed improvements. We have 35 hours in which to determine what the outcome of our budget discussions are going to be like, what the result is going to be. I hope that we will be able to strike a balance that can get us a budget that can pass both Houses, which can also be approved by the President.

With that, I yield the floor.

Mr. STEVENS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KERREY. 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. KERREY. Mr. President I rise today to talk about the great progress we have made reducing our federal deficits. I am proud to have participated in and voted for three budget acts—in 1990, 1993, and 1997—which have radically altered the fiscal condition of the Federal government and the debate about how the public's hard-earned tax dollars should be spent.

When I arrived in the Senate 10 years ago, we had a deficit of $205.2 billion. We were awash in a sea of red ink. Budgeteers were predicting deficits as far as the eye could see. In fact, since 1989, our publicly-held debt has increased from $2 trillion to $3.7 trillion. Hundreds of billions of dollars of borrowing was needed every year to fund the Federal budget. This borrowing had two effects: it kept interest rates for all public borrowing higher than necessary and it caused the net interest costs of the U.S. government to rise as a share of total Federal spending.

After the enactment of these three budget acts—particularly the 1993 and 1997 budget acts—and on account of impressive gains in private sector productivity and growth, we were able to reverse the deficit trend. Deficits have continued to shrink since 1994—and we were able to celebrate our first unified budget surplus (counting Social Security) of $70 billion last year. I am hopeful that the Congressional Budget Office's August re-estimate will allow this Congress to celebrate its first real budget surplus since 1960.

Deficits are yesterday's problem. Today, budgeteers are telling us to expect budget surpluses as far as the eye can see. I am proud to say that we are able to celebrate the fruits of our fiscal restraint—not because we had to abide by an inflexible constitutional amendment—but because we had the sheer will and political courage to put ourselves on a spending diet. Americans should feel good about that. And my colleagues who took the tough votes on fiscal restraint should also feel good about the budget surpluses we are now enjoying.

Through our progress on controlling spending, we have also made some progress on entitlement and net interest expenditures. Back in 1994, I co-chaired the National Commission on Entitlement and Tax Reform. In its final report, the Commission predicted that ''without changes to programs or increased taxes, entitlements and interest on the national debt are projected to consume all federal revenues by 2012. In 2030, entitlement spending alone will exceed all Federal receipts.'' The fiscal restraint that we have displayed in the succeeding 5 years has changed the short-term picture of entitlement and interest expenditures dramatically.

Today, about 53% of our Federal budget is spent on mandatory programs like Social Security and Medicare; 34% of our budget is dedicated to discretionary spending (like NASA, NIH, roads and bridges, and the armed forces); and 13% of the budget is spent on interest on our national debt. Depending upon whose numbers you look at—the Republican Budget Resolution, the President's budget, or the CBO projections—our fiscal discipline will allow us to pay down our publicly-held debt and reduce our net interest costs. These interest payments will continue to decline as a percentage of our total spending—from about 13% today to somewhere between 3 and 5 percent by 2009. Although discretionary spending will continue to decline as a percentage of total spending—this decline will occur more slowly than previously predicted. Over the next decade, discretionary expenditures will decline from about a third of total expenditures to about a fourth of total expenditures by 2009. And although mandatory spending will continue to rise as a percentage of total expenditures—from 53% today to 70% of spending by 2009—it will grow at a slower rate than we had previously predicted.

The strong growth in our economy and the subsequent strong growth in the taxable wage base has increased the solvency of our Medicare HI and Social Security OASDI Trust Funds. That same report from the Bipartisan Commission on Tax and Entitlement Reform predicted back in 1994 that with no changes, the HI Fund would be insolvent in 2001. But the latest statistics show that the HI Fund will be solvent until somewhere in the year 2010. Our 1994 report also noted that the Social Security would become solvent in 2029. In 1998, the Trustees of the Social Security Trust Funds announced that our strong growth would extend the solvency of the OASDI Trust Funds to 2032—and I have reason to believe that the short-term solvency of the Trust Funds will be extended even further after the Trustees release their 1999 report next week.

While we should pat ourselves on the back for our tough votes in 1990, 1993, and 1997, we must remember that our agenda remains unfinished. Today, I want to challenge the Senate to start tackling the last piece of unfinished business. I am, of course, referring to the biggest political problem facing our generation of legislators: how do we work together in a bipartisan manner to modernize, reform, and improve the Medicare and Social Security programs for our children and grandchildren? Our demonstrated fiscal responsibility has bought us some time—and some breathing room—to think about how we want to reform our safety net programs, restore solvency to our entitlement Trust Funds, and reduce the out-year proportions of the budget which finance our entitlement programs.

Although we've slowed the growth in our entitlement programs, it must not go unnoticed that this year we will spend $20 billion more in Medicare and Social Security benefits than last year—and next year we will spend $30 billion more than this year. That $30 billion increase in Medicare and Social Security benefits is more than our total combined expenditures on the State, Justice, and Commerce Departments during 1999. The additional money we will spend each year on Social Security and Medicare benefits will only begin to increase as the first Baby Boomers start retiring during the next decade.

The President's own budget outlines for us the troubling long-run budget projections for the Social Security and Medicare programs. Right now, we spend the equivalent of 4.5% of GDP on Social Security benefits and about 3.6% of GDP on Medicare and Medicaid. By the year 2050, we will be spending about 7.2% of GDP on Social Security benefits and 9.7% of GDP on Medicare and Medicaid benefits. This is a dramatic increase in entitlement expenditures—a doubling from 8.1% of GDP today to 16.9% of GDP in 2050. My Nebraska constituents need to know that the more we spend on entitlements, the fewer tax dollars will be available for the education and training of our children, or the research and development of new medicinal drugs, or space exploration. The analytical tables in the President's budget show that discretionary expenditures will continue to decline from about 7.6% of GDP today, to about 3.6% of GDP in 2075.

I want to challenge my colleagues to seize upon the opportunity to modernize, reform, and improve Medicare and Social Security during this era of budget surpluses. We need to think about helping people become less dependent on the government for their retirement security. For example, I support the idea of allowing individuals to have a payroll tax cut of 2 percentage points, which they could invest in individual accounts. But these individual accounts are not the end in itself—but the means to an end. The means to a more independent retirement—a retirement that involves the ownership of wealth and the creation of an asset that can be passed on to heirs. We need to decrease the demand of future retirees on the government by making changes to Social Security that reduce costs—but also provide retirement security.

Efforts to reduce the costs of the program are made harder by changes to the Social Security program enacted back in 1983. Some of my colleagues—particularly Senator MOYNIHAN—may remember that back in 1983, Congress agreed to ''pre-fund'' the Social Security benefits of the Baby Boom generation by allowing the program to take in more income than it needed to pay the benefits of current beneficiaries. This excess payroll tax money was supposed to flow into a Social Security Trust Fund. As we all know, this money was borrowed from the Trust Fund throughout most of the Reagan, Bush and Clinton years to finance the general operations of government. When Treasury starts paying back the money it borrowed from the Trust Fund in 2013, it will pay these IOUs with general revenues—meaning individual and corporate income tax dollars.

Most of my constituents are probably not aware that these changes in 1983 will give beneficiaries from the Baby Boom generation a claim on $6.85 trillion of income tax revenues—in addition to the payroll tax claim they already have on tomorrow's workers. The

President is proposing to increase the Baby Boomers' claim on income tax dollars to over $30 trillion. I do not support this change—I believe that we have an obligation to make structural reforms to the program within the current payroll tax structure. I applaud many of my Democratic colleagues who have taken a courageous step in opposing this misguided effort to ''save'' Social Security through additional income tax dollars. But I want to remind my colleagues on both sides of the aisle that simply setting aside the surplus for Social Security or Medicare reform is not a reform plan—it is a debt reduction plan.

I encourage my colleagues on both sides of the aisle to have an honest and open debate about the way we want to finance and reform the Social Security program. I believe that Congress and the President can and should work together to achieve real structural reforms in the program—and do so in a way that helps low-income Americans and that shares costs across all generations.

In addition, I would argue that we need to modernize the Medicare program to expand choice, increase competition, and include prescription drugs. As those of us who served on the National Bipartisan Commission on the Future of Medicare know through painful experience, Medicare poses an even more difficult problem than Social Security reform. By providing health care coverage, it provides a second essential element of retirement security for older Americans, as well as serving as an important safety net for disabled Americans who can no longer work. Medicare spending is unpredictable and, to a certain extent, uncontrollable—spending growth is largely driven by the amount of health services that beneficiaries use, technological developments in medicine, and—particularly in the future—enrollment growth.

And to complicate matters further, the public is not yet ready to undertake a significant change to the Medicare program. They know how valuable the current program is to themselves, their parents and grandparents. They want to be sure that they have the same coverage, or better, when they retire. And they don't see the need to make hard decisions about spending and benefits.

We need to look at these difficult dynamics and make the difficult choices that are necessary to keep the Medicare program solvent while ensuring that we have the flexibility we need within the Federal budget to address other national priorities. Last week, I voted with nine other Commissioners to adopt a more competitively-based model for financing and administering the Medicare program. I think this type of reform will move us in the right direction by helping us control costs, and ultimately helping us improve benefits. We can't simply pour new general revenues into an un-reformed Medicare program, and wait to deal with the larger problems at a later date.

The surpluses that have appeared, in part due to our fiscal discipline, provide us with a unique opportunity to reform our growing entitlements burden. The choices involved in achieving Medicare or Social Security reform are tough—and may even require some tax increases or benefit cuts. The pain of tax increases or benefit cuts will be made much less harsh if we use these budget surpluses to help reform our Social Security and Medicare programs. I do not believe we should use the on-budget surpluses for a debt swap or for a large tax cut that will primarily go to high income individuals. We must avoid the instant gratification of a large tax cut at the expense of the delayed gratification that comes with reforming our entitlement programs and reducing the tax burden on future workers.

I look forward to working with the House, the Senate, and the President to complete this unfinished agenda.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, before the distinguished Senator from Nebraska, Senator KERREY, leaves the floor, I want to congratulate him on his efforts on behalf of sound fiscal policy and good principles for the future and a vision of the future which I believe is an exciting one if we will just bear with it and do what we must do.

It is pretty obvious from the comments he has made here that we ought to be able to reform Medicare and make it live and available for many decades to come. And we ought to do it this year. There is absolutely no reason why we cannot. All we need to know is what the President wants to do. The President has not told us what he wants to do. This budget resolution contains a very valid program, very live and very capable, if the committees can put it together. It doesn't put a plan together; it just says what the resources are and how much is available. I will go into that in a little more detail in my opening remarks, which I will not give now.

There are two Senators who would like to speak now. I ask, on our side, if Senator HELMS could proceed and then I see Senator KENNEDY here. I think he would like to proceed. I do not want to limit him. I wish to make my opening remarks after him and then we will try to stir up an amendment.

If others have opening remarks, I hope they will hurry down here, because I suggest we are talking about our recess. I want to tell you a little bit. What if we have 60 amendments? People will now say we have plenty of time; we have all day today, all day tomorrow, which is Thursday. We have Friday. But people want to start leaving. They say that is 35 hours, 15 each day; that will do it.

Mr. President, if we have 60 amendments, the vote time and the quorum time surrounding them, since they do not count, the vote time does not count and quorums do not count, that could be 20 hours on its own; 35 hours of debate plus 20 hours to vote, that is 55 hours. This would mean at least 5 full days, well into Sunday, because we do not actually use 15 or 20 hours out of a day. We try to do 8 or 9 or 10. But even if you stay late, you do not get in 15 hours.

So we have to limit our amendments. We are working on that on our side. We also, at some point, have to agree to take less time on amendments than the 2 hours allowed under the statute.

With that, I yield whatever time Senator HELMS needs and then a Democrat can proceed. It will be Senator KENNEDY. Then I would like to be recognized after Senator KENNEDY.

I yield the floor.

THE PRESIDING OFFICER. The Senator from North Carolina is recognized.

Mr. HELMS. I thank the Chair.

(The remarks of Mr. HELMS pertaining to the introduction of S. 693 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. KENNEDY addressed the chair.

The PRESIDING OFFICER (Mr. HUTCHINSON). The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I yield myself 15 minutes.

First of all, I want to express appreciation to the members of the Budget Committee and, in particular, to our ranking minority member, Senator LAUTENBERG, for the work that he and our other colleagues did in developing a series of positions in the Budget Committee. I will address one of those this morning and refer to another which I hope, over the course of the next couple of days, to come back to.

I think those who are interested in the Nation's priorities, as reflected in the Budget Committee, should read the transcript of the discussion and debate. I had the opportunity to do so. I think they will get a very clear indication, as a result of that review, as to exactly what the priorities were for the Democrats in the budget consideration, which was the preservation of Social Security and the preservation of Medicare.

During the course of debate and discussion, it becomes quite clear—and also by the votes—as to those who are strongly committed to that program. Over the next several hours, we will have a chance to move beyond the rhetoric and into the details of the budget itself. That is going to be quite revealing, Mr. President, because we will have a clear opportunity to make a judgment at the end of these 3 or 4 days as to the very strong position that has been taken by the Democrats in the preservation of Social Security and also the strong commitment that we have in the preservation of Medicare.

I know there are those who have said, ''We have a certain amount of funds

that have been allocated within this budget for Medicare; all we are waiting for is the President to make some judgment, make some recommendation.'' The President has made the most important recommendation, and that is to allocate 15 percent of the surplus to preserve the Medicare Program through the year 2020, some 12 additional years of security for the Medicare Program.

That will be the longest period of time of solvency for the Medicare system since the enactment of Medicare. I will take a few moments later on in the day to comment further on this when we talk about the particular amendment that I will offer, but we have seen over the history of Medicare where there have been interventions for the preservation of Medicare to continue it and continue it in a financially sound way.

Now we have heard the President of the United States say we ought to allocate the resources that are going to preserve this for another 12 years and give it the greatest solvency we have had in the history of the Medicare Program, and then let's get about trying to put in place the kind of reforms that will be sound, taking into consideration the various recommendations that have been made by the Medicare Commission, a few which make sense and others with which I take serious issue. We will have an opportunity to examine those.

I hope our Republican friends—who virtually have been silent in proposing Medicare recommendations, other than to use the 15 percent that the President has recommended and allocate it for tax breaks for wealthy individuals—I hope that they will, during the time that we are out here at least, review with us what their recommendations are, what their proposals are, what their solutions are, rather than constantly harp on the President. He has taken a giant step forward in the allocation of solvency for the Medicare system, and he has also indicated, now that the Medicare Commission has reported, that he will make future recommendations.

If we were to accept the recommendations of our Republican friends, there will be very little in the till at the end of the day to provide protections for our senior citizens. That, I think, is a glaring, glaring loophole in this budget proposal, and one which I know the ranking member of the committee, Senator LAUTENBERG, will address with an amendment and Senator CONRAD with another excellent amendment. And I will offer an amendment, along with others, to give focus and attention to these issues.

There will be a very clear indication, hopefully at the end of the day, as to what really are the priorities for this body in terms of the future of the Medicare system.

Every budget is a statement of national priority. Every budget is really the investment in the future, but the year 2000 budget is extremely important, not just because it is the first year of the new millennium, but this budget will determine whether the large surplus will be used wisely for the benefit of all or squandered on tax preferences that disproportionately benefit the few.

The President, in his program, after the preservation of funding for Social Security and Medicare, also targeted tax programs that others will address later in the course of this debate. I think those are in areas of very special needs—providing assistance to families with the disabled, child care, and other areas. We will have a chance to review those. They all recognize what is urgent and of great importance, and that is the preservation of Social Security, the preservation of Medicare, and then the targeted tax cuts.

This budget will determine whether Medicare will offer the protections that are so essential for senior citizens in the years ahead. This is the budget that will determine whether we keep medical care in Medicare.

The Republican budget resolution is a thinly veiled assault on Medicare and I think an affront to every senior citizen who has earned the right to affordable health care through a lifetime of hard work. It is a proposal to sacrifice the future of Medicare in order to finance the tax cuts for the wealthy.

Equally as serious is the Republican attempt to privatize Medicare, to misuse the current financial problems of Medicare as an excuse to turn the program over to the tender mercies of the private insurance companies. Of course, there is where the problem started in the 1960s.

This is the same extreme agenda the Republicans pursued unsuccessfully in 1995, 1996, and it was an agenda rejected by President Clinton and Democrats in Congress and the American people, but now our Republican friends are at it again.

According to the most recent projections of the Medicare trustees, if we do nothing else, keeping Medicare solvent for the next 25 years will require benefit cuts of almost 20 percent—massive cuts of hundreds of billions of dollars.

The President's plan makes up most of that shortfall, without any benefit cuts, by investing 15 percent of the surplus in Medicare. This investment avoids the need for any benefit cuts in Medicare for at least the next 21 years. It also gives us the time to develop the policies that can reduce the Medicare costs without also reducing the health care that the elderly need and deserve.

But Republicans in Congress have a different agenda for the surplus. They want to use it to grant the undeserved tax breaks for the wealthiest individuals and corporations in our society regardless of what happens to Medicare. Republicans on the Budget Committee had a clear opportunity to preserve, protect and improve Medicare. All they had to do was adopt the President's proposal for investing the 15 percent of the surplus in Medicare.

Instead of protecting Medicare, they use the surplus to pay for billions of dollars in new tax breaks. You do not need a degree in higher mathematics to understand what is going on here. The Republican budget, I believe, is Medicare malpractice.

Every senior citizen knows and their children and grandchildren know, too, that the elderly cannot afford cuts in Medicare. They are already stretched to the limit, and sometimes beyond the limit, to purchase the health care they need. The out-of-pocket payments by those over 65 now is almost the same percent of what it was prior to the time of the passage of Medicare. They just cannot afford to have the significant and sizable increases that would be assumed if we are not going to provide this 15 percent. Because of the gaps in Medicare and the rising health care costs, Medicare now covers only 50 percent of the health bills of senior citizens.

On average, senior citizens spend 19 percent of their limited income to purchase the health care they need, a larger proportion of what they had to pay before Medicare was enacted a generation ago. Many have to pay more as a proportion of their income. By 2025, if we do nothing, that proportion will have risen to 29 percent—29 percent, Mr. President.

Too often, even with today's Medicare benefits, too many senior citizens have to choose between putting food on the table, paying the rent, or purchasing the health care they need.

The typical Medicare beneficiary is a single woman, 76 years old, living alone, with an annual income of approximately $10,000. She has one or more chronic illnesses. She is a mother and a grandmother. Yet, we want to cut her Medicare benefits in order to pay for tax breaks for the wealthy.

These are the women who will be unable to see a doctor, who will go without needed prescription drugs or without meals or heat, so that wealthy Americans, earning hundreds of thousands of dollars a year, can have additional thousands of dollars a year in tax breaks. This is the wrong priority. And America knows it is the wrong priority—even if Republicans in Congress do not.

We all recall that 4 years ago Republicans in Congress also tried to slash Medicare to pay for new tax breaks for the wealthy. They tried to slash Medicare by $270 billion to pay for $240 billion in tax cuts for wealthy individuals and corporations. We all remember. It was not that long ago.

Mr. President, under the GOP proposal, senior citizens would have seen their premiums skyrocket an additional $2,400 for elderly couples over the budget period. The deductible that senor citizens pay to see a physician would have doubled. The Medicare eligibility age would have been raised to 67. Protections against extra billing by doctors would have been rolled back.

I can remember the debates we had on that, Mr. President, where you effectively have double billing, where they go on and they take what they get from Medicare, and then they send you another bill on top of that. We spent a long time to address that particular issue. And now it would be reopened again.

Under the guise of preserving Medicare, Republicans had proposed to turn the program over to private insurance companies and force senior citizens to give up their family doctors and join HMOs. But President Clinton and Democrats in Congress stood firm against these regressive proposals, and they were not enacted into law.

Now the Republicans on the Finance Committee and Ways and Means Committee are at it again. They are already drafting new so-called reforms for Medicare. No details have been revealed, but the funds already earmarked for tax breaks for the wealthy under the Republican budget mean there is no alternative to harsh cuts in Medicare.

As we debate these issues this week, the Republican response is predictable. They will deny they have any plans to cut Medicare. They will talk about $190 billion additional over the period of time. The $190 billion they will say they are giving additional. That is just to keep the program going. If you cut any of that, you are providing additional kinds of cuts in Medicare. That is what the budget figures themselves show.

Mr. President, they will deny they have any plans to cut Medicare. The American people will not be fooled. They know that the President's plan will put Medicare on a sound financial footing for the next 2 decades without the benefit cuts, tax increases, and raising the retirement age.

They also know the Republican plan will take the surplus, intended for Medicare, and squander it on the tax breaks. They know that the Republican plan for Medicare benefits means benefit cuts for the elderly, not the honest protection of our senior citizens.

This week the Democrats will offer amendments to assure this year's budget protects Medicare, not destroys it. Under our proposal, all the funds the President has proposed to earmark for Medicare will be placed in the Medicare trust fund.

Our proposal will assure the solvency of Medicare for the next 21 years without benefit cuts or tax increases or raising the retirement age. Republicans will have a chance to vote on whether they are sincere about protecting Medicare. The vote on our proposal will test whether they care more about senior citizens or tax breaks.

The Republicans also try to confuse the issue. They will say it is wrong to put the surplus into Medicare. I say the workers of this country are the ones who earned this surplus. They want to use it to protect and preserve Medicare.

Our Republican friends say that dedicating 15 percent of the surplus will not solve Medicare's financial problems beyond 2020. That is true. But assuring the solvency of Medicare for the next 21 years is a giant accomplishment and a clear statement of our national priorities, and it gives us time to develop longer-term programs that will bring down Medicare costs while protecting beneficiaries.

If we fail to dedicate the surplus to Medicare, the only alternative is harsh benefit cuts and steep payroll tax increases to make up the resources that our Democratic plan provides. The choice is clear. Congress must act to preserve the Medicare benefits that seniors depend on.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KENNEDY. Fine.

Mr. DOMENICI. I will give additional time.

Mr. KENNEDY. I see my friend and colleague on the floor, the Senator from California. I will come back later in the day.

I thank the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, thank you for recognizing me.

I note the presence of Senator BOXER. I have not given any opening remarks, and we are trying to line up some amendments.

Mrs. BOXER. I am happy to wait. Please.

Mr. DOMENICI. But that will not preclude opening statements if the Senator has some.

Mrs. BOXER. No problem.

Mr. DOMENICI. Mr. President, I am convinced that, for some obvious reason, the President and some on the other side of the aisle do not want to fix Medicare. I think it might be fair to say they would rather have an issue than to fix it. It is not true of everybody, obviously. I have heard a number of Senators on both sides saying this is the year to reform Medicare. And, clearly, it can be reformed and fixed. There is no question about it. We saw that 10 Members out of 17—bipartisan—came up with a proposal.

I am hoping that after this budget resolution is completed—everybody knows there is plenty of latitude within this budget resolution to reform Medicare; there is nothing about this resolution that denies the opportunity to reform it, repair it, fix it, for many decades to come—I am hopeful that perhaps the White House will tell us what their plan is. I think some of us, in due course, might like to sit down and talk to the President about it. We have all been very, very busy, and clearly this issue has, instead of getting the attention it deserves, sort of slid by, and here it sits with accusations and insinuations instead of reform.

Having said that, I would like to talk just a little bit before I give my remarks about the policy for our Nation for the next 10 years. I would like to make sure that everybody understands this is the only bill or resolution that, under the law, has a time limit and has a limit on how much you can speak on amendments.

That means that, literally, the time will run out, and the more amendments we have, obviously, the more time it is going to take, because every vote and every quorum call does not count against this statutory timeframe. So if we are not careful and do not try to work together, we could be here well into Saturday, which I do not think anyone wants. We want to get our work done.

I have just stated for the RECORD, so nobody will misunderstand, that we have the rest of today and the rest of tomorrow—and then that is Thursday night. Many think we want to be finished by that time. With the amount of time it takes to vote and the amount of time for debate, we could have very little done by tomorrow night and still have 20 hours left, I guess, or 25, 21. But clearly it puts us a long way from finishing.

I hope amendments will be germane. I intend this year, in a way that will challenge the Senate, to raise some issues about germaneness if some of the proposals have no impact on the budget and are just here to be provocative and to have a vote on something.

Having said that, Mr. President, fellow Senators, I suggest that the United States of America's fiscal policy, economic policy, as far as our Nation's jobs and there being an abundance of jobs for our people, as far as there being good and even better jobs for our people, if they are educated and have some basic skills, when we look at our policy today—our fiscal, economic, monetary policy—we are in absolutely fantastic condition versus the rest of the industrial world.

In fact, we read with genuine concern—not enthusiasm but concern—how a great country like Germany is in the condition they are in. And, frankly, it bears talking about for a minute, because the United States is, and our economy is, strong and vibrant, because essentially we have a probusiness policy in many respects as compared with those who seek under other policies to compete in this world.

We have low taxes compared to Germany. We have many things that promote our competitiveness and help our businesses, large and small, compete, make money, hire people, pay them better, and pay more taxes.

We ought to look out and see what is going wrong in the other parts of the world where their economies aren't working. It is profoundly troublesome to see that the third largest economy in the world, Germany, is floundering. Watch what people are saying. They are saying: ''We are overtaxed. We don't have any freedom with reference to labor policies.'' They are saying: ''We have the longest holidays, the longest vacations, people retire the

earliest, they start to work later.'' That great productive country, built mostly on the high productivity of their people, is faltering.

We ought to learn from that. We ought to look at the next decade and say, How do we keep this prosperity going? I want to say right upfront, regardless of what the White House says about this budget, one way to make sure this prosperity machine and our jobs continue into the next decade is to recognize that there is a genuine surplus besides the Social Security surplus, and we ought to think about how do we use that to make sure that America continues with a prosperity machine and growth.

I submit that to put on hold cutting taxes for the American people is the wrong way to ensure that growth, prosperity, and the creation of jobs. Our opposition, the Democratic Party and the White House, can use every bit of language they can muster to talk about us having the wrong approach to tax cuts. Nobody knows what the tax cuts are going to be under this budget resolution, because the committees of this Congress have to make that decision.

They can get up and talk about tax cuts for the rich all they want, but there is room in this budget resolution to fix the marriage tax penalty. There is room to fix the research credits that our American businesses ought to take. We ought to make it permanent and say they are there so you can grow and prosper and make more and more breakthroughs. There is allowance there for a capital gains change. Yes, there is money there, if it is the will of the Congress, to cut marginal rates.

To say this budget resolution, in that regard, is to cut the taxes of the rich is untrue. Unequivocally, we believe when there is a surplus that is this big, and an American economy that we want to continue to flourish and grow—we have been told there are only three things you can do with a surplus for the good of America.

They are, one, applying the surpluses to the debt to reduce the debt held by the public. People such as Alan Greenspan say if you could find a way to do that, that is the best way. We have put $1.8 trillion of this surplus, every cent of the Social Security surplus, against the debt.

The President bragged about his budget, reducing the debt held by the public, and how putting money in trust funds but not spending it and waiting to redeem it later with an IOU would reduce the public debt. He said it recently again as he summarized an answer to a question. He reduces the debt held by the public less than this budget because he doesn't put it on the debt. He puts it somewhere where it can be spent. As a matter of fact, in the first 5 years of the President's budget, he spends more than the whole surplus that was accumulated during that period of time, the whole onbudget surplus, that which could be used for tax cuts. Because it doesn't necessarily belong to seniors, he spends more than the accumulation of that surplus in this budget.

Now, frankly, there are some who will say the President's budget isn't before the Senate. We are going to make sure it is brought before us. Let's see if we can vote on it, because the President has been claiming things about his budget that are not true. Let me start with one.

There is not one nickel, not one penny, not one dollar, in this budget for prescription drugs. As a matter of fact, there are no new expenditures for Medicare in his budget because he decided to put the surplus away so you couldn't use it for anything else and put it in a trust fund that is not spent for Medicare. Two Cabinet members have told us there is not a nickel in here to be spent on prescription drugs. You wouldn't believe that. That means you have to reform the program to get the prescription drugs.

Mr. President, the Republican budget does a great job with reference to Medicare as compared to the President's. We anxiously await a real plan. Since I don't think there really is one here, we anxiously await his plan. We anxiously await the plan of those on the other side who are critical.

Let's see what their plan is. We increase Medicare spending $200 billion more than the President over the next decade. He cuts about $20 billion over the next 10 years, but he would say it is just removing payments from hospitals. That is where the money goes for the Medicare people of this country: It goes to hospitals, doctors, x ray equipment, MRIs, and all the other things. We don't cut that $20 billion; it is still in the budget. On top of that, about $100 billion of the surplus is left unused—$100 billion—to be used in our budget, if necessary, for a Medicare reform package.

I remind Members that the 10 members of the special committee on Medicare, which the President wholeheartedly joined last year in saying let's let them tell us how to do it, didn't even use any extra money and they covered the poor with prescription drugs through the reform of the program. I am not suggesting that the whole thing can be fixed that way, but I give you that example, and we left $100 billion there for that purpose.

We can go on. But I will proceed now to just evaluate our budget, little by little. First of all, we are beginning to ask the Senate to vote also on whether they want to save and apply to the debt 100 percent of the Social Security surplus. We do that. The reason it is important is because the President doesn't do it.

Now, the President, in the first few years of this, spends Social Security money. But he says if you wait 15 years, there will be enough of it to make Social Security's trust fund whole. Year by year, he uses portions of it until some point out in the future when the amount is small and then he leaves it all in the trust fund.

As I see it, we are going to confront the issue of Medicare here on the floor. We are going to be delighted and pleased to tell the senior citizens of this country that very major Medicare reform awaits the cooperation of the President and that there is ample resources in this budget to take care of that.

I compliment the distinguished Senator from Maine, Ms. SNOWE. She encouraged and got passed unanimously with every Democrat supporting it this source of money that won't be used for anything else but can be used, if desired, to help reform the Medicare.

Let me quickly tick through what we do that we are proud of. One, the budget accounts for every penny of the Social Security trust fund and leaves it in the budget unspent to reduce the debt. Later on, we will introduce legislation to make it near impossible to spend it.

We followed the leadership of the President, the minority leader, and many others, who said maintain the fiscal discipline established in the 1997 agreement. The minority leader challenged us: Don't break the caps, don't break the agreement we entered into 3 years ago. Stick to the caps.

We did that. Now, watch, as the debate progresses; there will be innumerable amendments saying they want more money in domestic accounts. Our question will be, if you are going to stick with the caps, as recommended by your own leader on the minority side, what are you going to cut to make sure you can pay for more than we provided? We provided the caps, the exact amount required by law. Incidentally, some think a budget resolution is in control of these budget spending limits. That statute says if you violate them without changing the law, you will cut every program in the Government. It is called a sequester to enforce the agreed-upon limits.

We return to the American taxpayer overpayments they made to the Federal Government, not only because they are entitled to it, but they should not wait 15 years for a tax cut, as implied or recommended by some. We create a non-Social Security surplus of more than $100 billion, which I have just described. It preserves the Social Security surplus balances of $1.8 trillion over the next decade. It is not touched in the expenditure or the tax side of this budget because it belongs to the Social Security trust fund for use in reform and certainly not to spend.

It is interesting on that score, while I am moving along, that nobody is going to vote for the President's budget because, as a matter of fact, in the first 5 years he spends $158 billion of the surplus belonging to Social Security. After they all vote down here to keep 100 percent, how are they going to vote for the President's budget when it spends it?

The budget resolution has another challenge in it for us. We do not put a

wall up between the defense expenditures and domestic expenditures because things are tight. Senators want the opportunity—and the Budget Committee members wanted to preserve the opportunity—to argue over defense numbers versus domestic numbers. We will see some amendments today that will seek to take money from defense and spend it on something else; that is, if the amendments offered in committee are offered here. That probably won't pass no matter on what you are going to spend the money on the domestic side because we are on the verge of a war, and I am quite sure everybody would be frightened to take money out of defense for domestic programs at this point. But we will probably hear the argument.

So we have increased spending on national security. And, yes, for those who say it is too tight a budget, I repeat, we followed the admonition of the minority leader who said, ''Don't break the caps,'' and it is a fixed dollar number. We used the number. We divvied it up among all the programs of Government. Some don't like the way we apportioned it, but I will tell you that we decided to put more in education, knowing that it will not go for categorical programs in education of the past but will go down to the local level to be spent on reform measures, so long as there is accountability as one of the qualities.

We put $3.3 billion more in the first year and $28 billion over the next 5 years. That is over and above the $100 billion we would expend in the next 5 years. That is far in excess of what the President was able to do. Yet, the President said, ''I am bound by the same caps and I am following them.'' So we are following them also. We just decided other parts of Government could be cut more than he suggested, and we put it in priorities like defense and education.

And, yes, the President speaks of what values do you reflect in the budget. I have just expressed them. The taxpayers—we worry about them. One of our values is to see that they don't overpay their Government. Secondly, we want more for education. We are in an era of reform, and we are willing to say let's put more in because it will be helpful to reform the educational process. We said the President didn't put in enough for veterans. We put in $1.1 billion more for veterans. That is our value. How can you take the medical system for veterans and cut it and not give it a slight increase, which everybody knows it needs? We fully funded all the crime prevention laws, the trust-funded money that goes into crime prevention. These are good priorities.

There will be some who will stand up and say, yes, they are good, but you had to reduce foreign aid. Well, so be it. If we are going to all live by the same numbers, then let's all talk about priorities. I remind everyone, if they want to exceed the targets, those caps, those limits on expenditures, clearly they need 60 votes to do it because it violates the Budget Act. That is how important it is. It is a major hurdle because we wanted fiscal responsibility. I am willing to listen to how difficult it will be to live within those limits. I understand it is. I don't have a solution right now because I don't see how you can report a budget resolution out that violates the budget law of the land. I don't see how you can do that. I choose not to do that. The committee chose overwhelmingly not to do that.

I might just suggest, if people are wondering about where the money might come from to establish the right priorities and still have to reduce other programs, the GAO recently reviewed the budget and they have a high-risk series which lists 26 areas in this budget this year—nearly 40 percent—which have been high risk for 10 years. High risk, by definition, is programs that are vulnerable to waste, fraud and error. We leave them there. For the most part, we increase them every year, and we ask GAO to tell us which are the risky programs that we probably won't get our dollar's worth from. Then we do nothing about it.

Second, it is clear that some programs won't grow and will remain at the 1999 level and will have to be reduced below a freeze, as the President's budget requested. We are going to take some of where he cut and reduced. I suggest that the committees and the administration take to heart the Government Performance and Results Act, which specifically identifies low-performing and inefficient programs. I am sure some Senators are hearing for the first time that such lists and assessments and evaluations exist.

This resolution assumes reduced funding for political appointees in the administration. It assumes some mandatory savings scored to appropriators in the area of the SSI Program and child support and enforcement.

The resolution assumes repeal of the depression era and arcane Davis-Bacon and Service Contract Act and other administrative savings.

The resolution assumes that Ginnie Mae will become a private operation and its auction creates nearly $2.8 billion in offsets next year.

And, yes, the resolution assumes some of the administration's proposed offsets, fees, are assumed for various agencies in the Federal Government—FSIS and the President's proposed $200 million broadcasters lease fee.

In the area of mandatory savings. The resolution does not assume any of the President's nearly $20 billion reductions in Medicare over the next five years. Medicare spending will indeed increase from $195 billion this year by over $200 billion to a total of $395 billion in 2009, an annual increase of 7.3 percent.

And the resolution assumes $6.0 billion in additional resources will be allocated to the Agriculture Committee to address the issue of depressed incomes in that sector.

Finally, the resolution assumes that expiring savings provisions in 2002, that were enacted in the 1997 Balanced Budget agreement, will be extended. This applies to all such provisions except expiring Medicare savings provisions. Between 2003 and 2009 these provisions would save less than $20 billion.

For revenues the resolution assumes that tax reductions will be phased in and over the next five years will return overpayments to the American public of nearly $142 billion and $778 billion over the next ten years. For 2000, paid for tax cuts of up to $15 billion are possible.

How these tax reductions are carried out will of course be determined by the Finance Committee and ultimately the Congress and the President.

However, I believe elimination or reduction in the marriage penalty could easily be accommodated within these levels as well as extension of expiring R&D tax credits, self employed health insurance deductions, certain education credits and or general reductions in tax rates phased in over time.

Finally, the resolution, being cautious, over a 10 year period, projects a non-budget surplus of over $100 billion. This money could be needed for unexpected emergencies or contingencies, it also could support the cost of funding transition costs for Medicare reform, or if nothing else it will continue to further retire debt held by the public.

Two procedural issues need to be noted—a rule change as it relates to defining emergencies and a clarification that when there is an on-budget surplus, those amounts are not subject to pay-go rules.

Let me close by saying that under this resolution, debt held by the public will decline by nearly $463 billion more than under the President's budget.

This is true even if one treats the President's government equity purchases as debt reduction.

Why do we reduce debt more than the President?

First, the President spends $158 billion of the Social Security surplus over the next 5 years. In contrast, the committee reported resolution saves the entire Social Security surplus.

And second, let me remind the Senate of one other thing about the President's spending proposal which may surprise many—his spending costs more than the resolution's assumed tax reductions. This is true over both the 5 year and 10 year period.

The President's budget spends 35 percent of the Social Security surplus over the next five years on programs unrelated to Social Security or Medicare.

The resolution before us today assumes that we return to the American taxpayer their overpayments and this sum of money is less smaller than the President's spending increases.

That is why we can save the entire Social Security surplus and why he can not.

That is also why the administration is opposed to the Social Security lock

box idea, because that would stop them from spending the Social Security surplus.

We will have more to say about the President's budget plan later in the debate, when we let the full Senate consider whether they want to support his budget plan or not.

For now however, what is before the Senate is S. Con. Res. 20. It is a good resolution. It is a reasonable resolution.

Once again it does four things:

It protects 100% Social Security surpluses.

It maintains the fiscal discipline this Senate overwhelmingly supported in 1997 and was most recently reaffirmed by the minority leader.

It returns to the American public their tax overpayments.

And finally, it prudently and cautiously projects on-budget surpluses for further debt reduction or for supporting unexpected emergencies, and possible transition costs for true Medicare reform like the one recently voted on by 11 of the 17 members of the National Commission on the future of Medicare.

It is a good start on budgeting into the next century.

Mr. President, I will also comment on those from the agricultural sectors. We got your letter and your concerns of a bipartisan nature. The resolution assumes $6 billion in additional resources to be allocated to the Agriculture Committee to address issues of the depressed parts of the agricultural community.

I am going to stop at this time and merely indicate that this debate will proceed. Amendments will be forthcoming. I am hopeful that when the day ends, we will have a budget resolution similar to this one, and let's see how the year evolves as we try to implement it.

I yield the floor.

Mr. LAUTENBERG. Mr. President, I thank the chairman. I have an understanding that we are going to go from side to side. At this point, I yield to the Senator from California.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. BOXER. Thank you so much, Mr. President. I thank the chairman and the ranking member, Senator LAUTENBERG.

I was so pleased to be a member of the Senate Budget Committee in the House. I was on the House Budget Committee for 6 years. To me, the Budget Committee is very important, because what we in essence do is present a roadmap for the priorities of this country. I think it is key to the people, the decisions we make here. How much are we going to spend on education? How much are we going to spend on Social Security, Medicare? How much are we going to spend on the military? And on and on—Border Patrol. Every single item comes under scrutiny in the Budget Committee. Although we may not make detailed recommendations, we essentially say to the American people—and we have to feel good about what we do—this is how we are going to spend the taxpayers' money and we hope you will be pleased with it.

Mr. President, I am not pleased with what we do about Medicare in this budget. That is what brings me to my feet today.

The President took the leadership on this budget when he challenged Congress—Members on both sides of the aisle—to save Social Security and Medicare and to do something about the low rate of savings in America today. So he came forward with a very good suggestion. He said set side 62 percent of the surplus for Social Security, set aside 15 percent of the surplus for Medicare, and set aside 12 percent of the surplus for targeted tax cuts, which will help our people increase their savings for the future.

The good news is that both sides of the aisle have agreed on Social Security. Both sides in the Senate have agreed to set aside every penny of the Social Security surplus every year for Social Security. The bad news is that nothing—I say ''nothing''—was done for Medicare by the Republicans in this committee. We tried to work with them. Senators LAUTENBERG and CONRAD spoke eloquently on the point and offered a number of amendments. They will do so again. Yet, on a straight party line vote, we were unable to budge our Republican friends.

I have to say this: Having seen a parent wind up in a very difficult position in a nursing home and having seen her be able to hold her head up high because she has Social Security and Medicare, they are twin pillars of the social safety net. Why do I say this? Because if you ask our elderly what they fear, what they fear is getting sick and they cannot rely on their Medicare. If their Medicare becomes out of reach for them, if it no longer protects them, then they will have to use their Social Security to pay for their health care costs, and they will wind up in very bad shape.

So, to me, you can't stand up with a straight face and say you are helping seniors in this country, you are helping our people get through their golden years, if you do not help Medicare, as well as Social Security.

There are those on the other side who we will hear say, ''Oh, these Democrats. All they want to do is throw money at Medicare. They don't want to reform it.'' That isn't so. But we do know we need to do both. We need to set aside funds from the surplus to get us through these years coming for Medicare; also, let's look at the reforms of the program.

As Senator KENNEDY said, the proposal we will put before the Senate will save Medicare through the year 2020. That is nothing to scoff at. Then we have the time to work on the reforms. We need to make sure that those reforms, in fact, are good reforms and that ''reform'' does not become another word for ''repeal.'' We don't want to repeal Medicare. We don't want to change Medicare in such a way that it no longer is that peace of mind for our seniors. We want to fix it so that it continues to work.

I hope it will be different on the Senate floor than it was in the committee. Shockingly, almost every vote, almost every vote—I will not say every amendment, but certainly every vote—to save Medicare was a straight party line. We see more and more of it. I see Senator MURRAY on the floor, a member of this committee, who was talking to me about how shocked she was that in the markup of the Patients' Bill of Rights it was party line all the way. What has become of us?

These are issues we should work together on. I am sad that we are not able to do it. On the other hand, I recognize that there are legitimate differences between the parties. It is for the people to judge as to who they feel is going to keep Medicare going.

I want to share a couple of charts with you. It seems to me that what we ought to be doing in this budget is securing America's future. In the budget we envision, and the kind of amendments we will be offering, we want to do a few things. We want to save Social Security. I again credit my Republican friends. We have worked together. This is done.

We also want to strengthen Medicare. Mr. President, it is not done in this budget. There isn't a slim dime set aside for Medicare, despite the fact that we were talking about last year what we would do with the tobacco tax, should it be enacted. Members on the other side of the aisle said: If you have extra funds, save Medicare. I don't know what happened. We will hear more about that in the debate as it unfolds.

Also, we should cut taxes to help ordinary Americans save. Those kinds of targeted tax cuts, more modest than the ones in the budget before us, are the ones we ought to be supporting. So, yes, we support tax cuts, but we want them to go to ordinary Americans who need those tax cuts. Yes, we want to strengthen Medicare by setting aside 15 percent of the surplus for Medicare.

I think it is stunning to look at this budget. This is what this budget does with the surplus vis-a-vis Medicare and tax cuts. My Republican friends will say, ''Well, we do spend money on Medicare.'' Yes, they spend the money. But nothing out of the surplus—nothing to address the problem in the future once we have a problem.

The good news story is that we are living longer. This is good. All the work we do around here to increase spending on health research is paying off. All the investment we make in the private sector and make in high technology is paying off. People are living longer. This is good; this isn't something to be sad about. But yet it has to be addressed. If we don't address it, we not only hurt the aging population, but

the children of the aging population whose problem it will be when mom and pop can no longer afford health insurance—and they may be uninsured—or have to dip into their pocket to a great extent when hit with a disease.

Just take a look at this. I ask the question, Is it fair? Is it fair? Tax cuts—$1.7 trillion; zero investment in Medicare out of the surplus. I don't see how this could be supported. Senators LAUTENBERG, CONRAD, KENNEDY, and others will be offering us an opportunity to do something about this. I hope we will.

I have a final chart that I want to show.

So you say to yourself, OK, the Republicans are giving these tax cuts out of the surplus; not a dime for Medicare. Who is getting the benefit? My friends, I have to tell you, if you earn over $833,000 a year, you are going to get a good benefit from this Republican tax plan because you are going to get an average of $20,697 back a year.

In other words, the top 1 percent will average $20,697 a year back in their taxes. That is twice as much almost as the minimum wage. And we can't get support from the other side of the aisle to raise the minimum wage. People who get up and work hard, get dirt under their fingernails every day, earn about $11,000 a year. We can't get anyone to raise it again.

But look at this, folks: $20,697 average back to the top 1 percent every year, and the bottom 60 percent of taxpayers, that is, whose income is below $38,000, get back $99. This is paid for by essentially ignoring Medicare. I say to my friends: $99 a year; yes, it is good to get that back. But how far does that go when mom and dad call you and say, ''My Medicare premiums just went up a huge amount. You have to help me; I can't pay the premium''? I say that $99 will be gone pretty darned quick.

So I just don't think it is fair. I respect my friends. They think this is good policy. I know they believe it in their hearts. As a matter of fact, shockingly—I had an amendment in the committee. Do you know what it said? It said that the substantial benefits of the Tax Code, of any Tax Code that winds its way through here, should go to the first 85 percent of taxpayers rather than the top 15 percent. And to my shock, my dear colleagues on the other side would not even let us vote. They had a substitute. They did not like it. They supported it last year, but they said this year times are different. They do not support it now.

So the reason I love this debate, on the one hand, is there are such clear differences in the philosophy of the parties, as evidenced by the votes that were taken in the Budget Committee. But I have to say I was disappointed. Even an amendment I offered—and I know, again, my colleagues will speak on their own amendments—that simply said without adding a penny let's make sure we fund afterschool programs out of the increase in the education budget, except for one colleague, every Republican voted it down. One Republican colleague joined me, but it failed on an 11–11 vote. They will not even say that afterschool care should be a priority within the education budget, because the philosophy is let the local government decide.

What if the local government decided to spend it to put a shower in the principal's office instead of on afterschool? I think there ought to be some accountability for the tax dollars we send back. We are not saying you have to use it. We are saying if you apply for the funds, whether it is for afterschool or more teachers in the classroom—we could not even get a vote ''yes'' on that one. So I am proud to be here today to stand up for the priorities I started off talking about: Saving Social Security—which I give my friends credit for, we do—or strengthening Medicare, which they do not do. We are going to offer some amendments, so we hope they will do it. And to cut taxes, not for the wealthiest Americans, but for ordinary Americans.

I want to say a word to my colleague, Senator LAUTENBERG. He and Senator DOMENICI may not agree, but they get along and it is a wonderful thing for us to see. Because, as tough as it is to disagree on these issues, there is a certain friendship and comity that pervades that committee because of their example. I thank them for that. I hope my colleague, Senator LAUTENBERG, will rethink his decision to retire because we will miss him too much.

But the amendments that he will offer symbolize what he is about, which is standing up and fighting for the little people, the people who need us. Before Medicare, we had old men and women destitute, destitute. And my friend, Senator LAUTENBERG, is an example of the American dream when he tells me the story of his mother who ran a bakery. She was widowed and she raised her family.

He served his country. He became a very successful businessman, and against his own economic interests, takes positions here that are for the good of the people. As he stands up and talks about Medicare, I know it is from the heart. I hope we will follow his leadership. I hope we will get a bipartisan vote to save Medicare.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I am going to yield as much time to Senator GRAMM as he would like, although I am going to ask him in the interest of others to do a little less than the 1 hour he would give to his class in economics over there at Texas A&M.

But I want to read something to the Senate before I yield to him, just in response to my good friend, Senator BOXER from California. She suggested we would not accept her resolution with reference to what the tax cut should be all about. Let me read what the committee adopted unanimously. I think it is a pretty good definition of what we ought to do with the tax cut:

> It is the sense of the Senate that this concurrent resolution on the budget assumes any reductions in taxes should be structured to benefit working families by providing family tax relief and incentives to stimulate savings, investment, job creation, and economic growth.

I think those are the kinds of things we all ought to be looking at in a tax package as it moves its way through.

I yield to Senator GRAMM.

The PRESIDING OFFICER (Mr. BURNS). The Senator from Texas.

Mr. GRAMM. Mr. President, I am going to talk mostly about Social Security and Medicare, but I want to answer two of the points that our dear colleague from California raised. First, she says, Is it fair to give a tax cut and to give nothing to Medicare? The Domenici budget gives this big tax cut and gives nothing to Medicare. Let me just change the question a little. It is not, Is it fair? The question is, Is it true? And the answer is no.

Let me just ask our colleagues to look at page 54 of the report on the concurrent budget resolution for the fiscal year 2000. This is the budget reported from the Budget Committee. It provides, beginning this year, for Medicare, $194.6 billion, and by 2009 that has risen to $394.2 billion. So the Domenici budget provides $199 billion of additional money for Medicare by the end of the 10-year period.

Let me just make two points. No. 1, Medicare has never grown by more than it grows under the Domenici budget. No. 2, no program has ever grown as much as Medicare grows over this 10-year period. There is not one cut in one Medicare benefit in the Domenici budget. In fact, the President's budget cuts the Medicare Program. The Domenici budget fully funds it.

So we all have a right to our opinions, but we do not have a right to our facts.

Mrs. BOXER. Will the Senator yield for a retort?

Mr. GRAMM. I will be happy to yield.

Mrs. BOXER. What I said clearly is of course there is funding there for Medicare. I said: Out of the surplus. There was nothing out of the surplus. I was very clear to state of course the committee takes care of Medicare under the current condition, but doesn't take anything out of the surplus.

Mr. GRAMM. I thank the Senator for the clarification, but the point is every penny of this $199 billion is out of the surplus because, if it were not provided, that money would be in the surplus. The point is, and I want to be sure nobody is confused, the Domenici budget provides full funding for Medicare over the next 10 years. It has not one cut in one benefit anywhere for Medicare. In fact, no budget in the history of America has provided the funding increase for Medicare that is provided in this budget, and no program, except the buildup for a war effort, in the history of mankind has ever provided the

increase we provide for Medicare. So no one should get the impression that in any way this budget does not fully fund Medicare. It does.

Second, and I do not want to get off on this same old debate, dragging the same old dead cat across the table, but it is always an amazing thing to me that when Democrats talk about tax cuts, they think it is always for rich people. When I heard the story, that Senator DOMENICI's mama was out picking lettuce and she started having Senator DOMENICI, and they took her in the house and Senator DOMENICI was born in this house. I don't know why anyone would think Senator DOMENICI does not love working people. I don't know why our Democrat colleagues, most of whom are very wealthy people, why they have this monopoly on loving poor people and Senator DOMENICI, the child of an immigrant family, somehow he does not love working people.

Let me tell you what the whole paradox is about. Our colleagues on the Democrat side of this body have discovered that we have a progressive income tax. Senator DOMENICI, what that means is that American workers in the bottom half of the income scale pay virtually no income taxes. And people who are in the higher income brackets pay very high levels of income taxes.

So, for example, if we had an across-the-board tax cut where we reduced everybody's taxes by 10 percent, a proposal that was made by John F. Kennedy who, last time I looked, was a Democrat—of course he believed that rising tides lift all boats. I don't know if Democrats still believe that. It was President Kennedy, in 1961, who proposed an across-the-board tax cut. ''Let's get America moving again'' was the Kennedy slogan.

When you cut taxes across the board, there are two things that everybody ought to understand, because our Democrat colleagues are going to go on and on and on about it. No. 1 is, some people do not get a tax cut if you cut income taxes across the board. Why? Because they don't pay income taxes. Some people don't get Medicare because they are not senior citizens. Some people don't get welfare because they are not poor. Some people don't get Senate salaries because they don't work for the Senate. But tax cuts are for taxpayers. You don't pay taxes, you don't get a tax cut.

Secondly, some people will get a bigger tax cut with an across-the-board tax cut than others. That shouldn't come as any shock, because some people pay more income tax than others. This budget does not make this judgment; this budget simply provides money for a tax cut. We will decide in the Finance Committee what it is.

I personally support an across-the-board tax cut. If you want to figure out how much you get—it is very simple and couldn't be fairer, in my opinion—take the amount you pay, take 10 percent of it, that is how much you would save if we had a 10 percent across-the-board tax cut. If you don't pay any income taxes, you don't get any tax cut. If you pay a little income taxes, you get a little tax cut. If you pay a lot of income taxes, you get a lot of tax cuts, but you don't get back what you don't pay. Simple formula.

Let me talk about my two issues.

The President, 2 years ago, said in the State of the Union Address a brilliant line—''Save Social Security first.'' It was a brilliant line. Everybody stood up and applauded. We waited a whole year and the President never told us how to save Social Security first, last, or ever—never had a program. It was simply a bumper sticker, a slogan. Then this year the President said, ''Oh, the year has come for us to save Social Security.'' He said, ''Don't just save it first; save it now.'' We all stood up, standing ovation. We all applauded.

And we had a big conference down at the White House. One of my Democrat colleagues was smart enough not to go. He had already figured out that this was a political sham. But I went. I sat through all these meetings. I sat in a meeting with the President. We had about 60 Members of Congress there. He went around the room and asked people their opinion, agreed with everybody. Then, when we left, we waited for a program.

Finally, the program came. Let me say, not to mince words but to be precise with the English language, it was a total and complete political cop-out. It was a political punt. It was a program that basically said: We are not going to make any decision other than we are going to claim that we are locking all this money away for Social Security. I am going to explain how the hoax works.

The second issue that is a major disappointment in the President's budget and the President's proposal is Medicare. I was appointed to the Medicare Commission led by Senator BREAUX, a Democrat. We put together a bipartisan coalition to save Medicare. The President killed the Commission. Then he makes a proposal that does not give Medicare a dime, not a dime of new resources. It simply reduces debt and gives Medicare credit for it in a sort of nebulous IOU that can't be spent for 15 years, and can only be spent then if we raise taxes or cut other spending to redeem the IOUs.

I want to talk about Social Security and Medicare the way Bill Clinton does it. A lot of my colleagues have racked their brains to try to figure out how the President saves Social Security. Let me explain it to you. I have a chart here, and I hope people can follow it.

What I show on the first chart is plotting out over time the Social Security surplus, which starts out here at the current level of $137.6 billion and then it grows over time. That is the amount of money we are taking in, in Social Security taxes, that we are not spending on benefits, plus the interest we are earning on the IOUs that Social Security has from the Federal Government.

In addition to the Social Security surplus, we have a general budget surplus from the rest of government that is shown here as B. The total budget surplus, counting the Social Security surplus and the non-Social Security surplus, is the combination of the two I have shown in blue here.

Here is what the President does. The President takes the Social Security surplus, which this year is $137.6 billion. They have a guy over in the Treasury who puts into a computer the number $137.6 billion, and out in West Virginia there is this little Federal office with a steel filing cabinet. They have a printout machine, and this prints out this IOU for $137.6 billion. I have seen them on television—at least a man and a woman working there. They may have 10,000 people, but I have seen only 2. The guy normally does it. He goes up and he takes it off the machine, tears it off, takes the perforated edges off, and takes the carbon copy off. Then he puts it in that metal filing cabinet. This is an IOU from the Government to the Social Security Administration. This literally happens. That is the $137 billion.

The problem is, we do not have $137 billion, because the unified surplus, when you add the two together, Social Security and non-Social Security, is only $134.6 billion, because we are running an actual deficit in the non-Social Security part of the budget of $2.9 billion.

What the President does is, he takes the $134.6 billion we have in cash and he says: Let's take 62 percent of that. That 62 percent is shown in light green here. That is 62 percent of the total budget surplus. He says: Let's spend 38 percent of that. Now, that is $52.3 billion.

Remember, every penny of this surplus is Social Security, but in his budget he spends $53 billion of this surplus. Then he says: We are going to give Social Security $83.5 billion. So they already have this IOU in West Virginia for the blue, the Social Security surplus, and now we are going to give them an IOU for the green, 62% of the unified surplus, which of course came from the Social Security surplus.

So what we do, we start with $137.6 billion in Social Security surplus. We don't really have it. We are $2.9 billion short, because we already spent that. The President prints out an IOU in West Virginia, and then he takes $134 billion, every penny from Social Security, and he spends $52 billion of it. Then he takes $83 billion that is left and gives it to Social Security again.

You might ask, how, with $134 billion, do you give Social Security $221 billion? Well, how you do it is, you give them $137.6 billion and you already have spent $2.9 billion so you have $134 billion. You spend another 38 percent of it, and that leaves you with $83 billion, and you gave that to Social Security.

So what the President has done is double-counted $83.5 billion of the Social Security surplus.

The amazing thing to me is that Senator DOMENICI, Senator LAUTENBERG, and I have seen many budgets come and go, and we know we have seen administrations, Democrat and Republican, who made rosy assumptions about the future—of course, nobody knew what was going to happen in the future—that did all kinds of things, but nothing of the scale of double-counting the Social Security trust fund. In the 20 years in the House and the Senate that I have watched budgets come and I have watched them go—more go than come, in many cases—I have never before seen the level of dishonesty that exists in the budget President Clinton has submitted this year.

It is not rosy assumptions about the future, it is plain fraudulent bookkeeping.

The amazing thing to me—having appeared on television with senior officials of the Clinton administration to talk about this issue, having listened to them in testimony—is how educated people who have credibility independent of serving in the Clinton administration can come before the public and come before the Congress and defend this; it is totally beyond my comprehension.

It is totally beyond my ability to understand the willingness of people to say something that they know, because every one of them took freshman accounting in college—if a freshman economic student at Harvard had proposed this double-counting scheme, our dear colleague, Larry Summers, the smartest guy in the Clinton administration, would have given him an F. And yet poor Larry Summers is dragged on CBS television to defend double-counting bookkeeping.

Having gone through it, let me just show you some of the manifestations of it. If you take the President's budget, he claims that he is locking away $5.8 trillion for Social Security in the future. Remember, these are all IOUs, and it does not make any difference whether you have one or you have a cigar box full. They all are commitments for which we are going to raise taxes, cut spending, or borrow money in the future. But I am simply talking about gimmicks.

The President claims $5.8 trillion that he has put in the Social Security trust fund. But yet when you look at what he has actually locked away, it is only $2.2 trillion. Let me just show you the numbers from his own budget.

This is the first document that comes from the Social Security Administration, and it shows the President's proposal:

> Under the President's plan, the Social Security trust fund will rise from $864 billion to $6.6 trillion, an increase of $5.8 trillion during the year 2000 to 2014.

That is what the President says he is doing, locking away $5.8 trillion for Social Security. But when you actually look, I say to Senator DOMENICI, at the President's budget from the Office of Management and Budget, there is a ''Social Security lockbox transfer used to redeem debt.'' They are not redeeming $5.8 trillion, the amount set aside for Social Security, they are redeeming $2.183 trillion.

What happened to the other $3.6 trillion? It is missing. You cannot find it in their books. What happened to it? It is a funny thing about double-counting bookkeeping, you can double count all you want, but when you finally open up the box, you only have in there what you put in there. That is basically what the President does.

When our colleagues on the Democratic side of the aisle say the President does these great things for Social Security, what he does for Social Security is double count the entries he is making in the Social Security trust fund, but nothing the President does in any way will pay any benefit past 2012 because at that point we open this box, and all it has is IOUs. Then we have to raise taxes or cut spending or cut Social Security benefits, or we have to borrow money to pay for it.

Finally, let me read you a quote. Probably the best summary of the Clinton Social Security proposal was in a major article by David E. Rosenbaum in the New York Times on March 24. Here is his summary of what he calls ''the shell game'' in the Clinton Social Security proposal. Listen to this quote. He is talking about the Clinton plan on Social Security:

> The plan does nothing more than throw new IOUs at the problem and avoids tough choices needed to keep subsequent generations from having to pay the bills for the retirement of the baby boomers.

What is being called a plan to save Social Security is, in fact, a phony bookkeeping scheme to double count the number of IOUs put into Social Security. Not only is it fraudulent, but it is a hoax, because the IOUs in Social Security do nothing to pay benefits. You cannot pay benefits with IOUs. You have to have money, and the only way you can get money is to tax or to cut spending or to borrow the money from the general public.

The second hoax in the Clinton budget is the hoax of Medicare. This year, the President killed the Medicare Commission report, and his alternative to it was to send an IOU to Medicare. He said, going back to this surplus, ''Look, we started out with $134 billion and we gave $221 billion of it to Social Security. That worked great. Having taken 134 and given 221 of the 134 to Social Security, why don't we give 15 percent to Medicare? It worked great for Social Security, let's do it for Medicare.''

So what he does is he sends this meaningless IOU to Medicare only, as Senator DOMENICI was the first to discover, there is a big caveat on this IOU, and that is, you cannot spend it. He does not provide any new benefits.

He talks about drug benefits and how wonderful it would be to have them, but he provides not one penny for drug benefits. None of this money can be spent under the President's budget. It is simply a meaningless IOU. I guess we will open another office in West Virginia and we will hire people and they will print out the IOU for Medicare and put it in a metal filing cabinet, but does it fund one prescription drug? No. Does it pay for one day in the hospital? No. Does it pay for one home health care visit? No.

If it does not do any of those things, what good is it? It is good because it is a political weapon. The President can say, ''I gave 15 percent of the surplus to Medicare.'' You cannot spend it. It will not buy any of these things, but I did it.

The point is, Senator DOMENICI could have done all these things, and more, if he were willing to use phony bookkeeping. But thank goodness he is not willing to use phony bookkeeping. He did fund—fully fund—for 10 years Medicare.

Mr. DOMENICI. Will the Senator yield?

Mr. GRAMM. Let me make a concluding point, and then I will be happy to yield.

The President had a once-in-a-lifetime opportunity to save Social Security this year, and he did not do it. The President had a once-in-a-lifetime opportunity with a bipartisan commission to plant the seeds to save Medicare, and he did not do it. To use a parody on a very famous commercial, the Presidency is a terrible thing to waste, and President Clinton has wasted Presidential leadership on Medicare and Social Security with phony programs that serve no purpose except to mislead the American public and to prevent real debate on these issues.

I will be happy to yield.

Mr. DOMENICI. Mr. President, I want to ask the Senator, in terms of the President transferring some balances into the Medicare trust fund and taking IOUs back, we all know right now there is an assessment of when the Medicare Program will stop generating enough money to pay its bills. Remember, that date is 2008——

Mr. GRAMM. That is right.

Mr. DOMENICI. When there will be less money coming in than the bills calling for it.

Does the President's plan change that fact?

Mr. GRAMM. No. In fact, it provides no new money in the year 2008 to cover that deficit.

Mr. DOMENICI. Thank you.

Mr. GRAMM. I say, in conclusion, that the Domenici budget has a real process to lower the debt limit that the Government operates under to assure that not one penny of Social Security money will be spent on anything else. We will have a vote on that lockbox. Many people who say, ''We want to stop the plundering of Social Security,'' will have an opportunity to do it, because the Domenici proposal will stop Social Security money being spent

for any other purpose. I intend to support it.

I congratulate Senator DOMENICI. And I yield the floor.

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. I ask that Senator MURRAY of Washington be recognized.

The PRESIDING OFFICER. The Senator from Washington, Senator MURRAY, is recognized.

Mrs. MURRAY. I thank my colleague from New Jersey, the ranking member on the Budget Committee, who has worked with us for a number of years in putting together these budgets. I join my colleagues in wishing him well on his retirement and thank him for the work he has done for so many people throughout his career.

Mr. President, I rise today to express my strong opposition to the pending fiscal year 2000 budget resolution that is before us here today and my deep concern and disappointment with the priorities that have been laid out in this budget. I remind my colleagues that budgets are not about today; they are about tomorrow. Failure to establish a framework for Federal spending that focuses on the future is a serious mistake.

Last week during the consideration of the resolution in the Budget Committee, I was really amazed at our lack of focus on investing in our future and our complete disregard for the impact of the decisions we were making on hard-working families. The mistake that we all made during committee consideration was our failure to put a human face on our discussions. We simply lost sight of the human and social costs of our decisions.

The focus of this budget that is before us and the focus of the debate in committee seemed to be based solely on politically expedient tax cuts. There was no discussion on extending the solvency of Social Security or Medicare and what our failure to address these issues will mean for working families. There was no attempt to address the shortfalls in our investment in public education, our public health, environment, veterans health care, child care, food safety, Older Americans Act, Medicare, Medicaid. These are not just spending programs, these are investments in our quality of life and in our future economic security.

When we talk about education, a lot of the talk we hear on the floor is jargon—jargon—about flexibility and block grants and Federal mandates. No one talks about walking into a classroom of 40 young children and looking into their faces as they struggle to learn. I cannot say strongly enough, there are human costs to the decisions that we are making in this budget.

I have talked to children our decisions affect. I have talked to their teachers and their parents. I know they are not interested in political double-talk. What they want to know is, What are we doing to prepare them for the challenges of the next century? What are we doing to invest in our young children so that they have the ability to get a job when they graduate? Are we addressing the huge class sizes that our children face every day and their inability to learn math and reading and science? Are we addressing the issue of the crumbling schools that many of our children go to every day? Are we addressing the fact that our teachers need to be educated and trained to be able to teach the skills that we require of them today?

That is what parents and students and communities and business leaders are looking for in this budget. That is what we have failed to address.

I see the same lack of focus in dealing with Medicare. I am glad there is a bipartisan agreement to protect the Social Security trust fund. That one step alone will do a lot to restore integrity to the program and return confidence to the Social Security system. However, I am very troubled by the lack of commitment to Medicare.

In reviewing the committee's report to accommodate the resolution, the priority appears to be one thing, and that is tax cuts. The resolution assumes tax cuts totaling almost $700 billion over 10 years but very little mention of how we are going to invest the surplus in providing equal, affordable health care for our Nation's senior citizens. Again, this resolution places a higher priority on compensation as opposed to investment.

I want to know how we are going to explain to an 83-year-old widow that Congress has decided that a tax cut is more important than providing her with quality, affordable health care.

The fastest growing segment of our population living in poverty is those over the age of 65. All of the investments we have made, from Social Security to Medicare to the Older Americans Act, that have ensured a quality standard of living for those over 65, are jeopardized by a simple fact, and that simple fact is that the population over 65 is increasing faster than we are ready for. We have an opportunity, with the surplus in front of us, to invest a portion of that into Medicare in order to extend the solvency without making devastating and dangerous cuts.

Reform of Medicare must be carefully considered and executed. We cannot change the program overnight without harmful implications. The budget resolution we are dealing with here today fails to address the immediate and long-term problems of Medicare, and, once again, there is no discussion of the human cost of the decisions we are making.

I have spoken with that 83-year-old widow who sometimes has to choose between hundreds of dollars a year in prescription drugs and food. How do I explain that, under this, she could face an additional $2,498 a year in Medicare premiums? How do you justify increasing the burden on individuals whose average income is slightly less than $13,000 a year?

I ask my colleagues to stop and reconsider their priorities. I have heard some of my colleagues talking about the need to return the ''people's money'' to the people. Well, I agree. Families have worked hard and paid their taxes with the belief that Medicare would provide for their parents as well as themselves when they retire. Medicare allows the elderly independence and dignity in the final years of their lives. I believe investing the surplus into Medicare is returning the people's money to the people.

As I stated earlier, I am pleased that there is a bipartisan commitment to save the Social Security trust fund surplus. This will allow greater flexibility in reforming the system and improving current benefits. And I was pleased with the bipartisan support for the amendment I offered in committee regarding the impact of Social Security reform on women.

Up until now, the only discussion about women and Social Security reform has been very vague statements about ''taking care'' of them. I believe that very few understand the unique circumstances of women who, throughout their working life and in retirement, face very different decisions and circumstances, where women tend to be out of the workforce to raise their children, or later on in life to take care of elderly parents, where women earn, on the average, 75 cents on the dollar of what men do; when we look at Social Security reform and realize right now that Social Security is based on the top 35 years of income, and for many women who do not work 35 years, their income is averaged by adding a number of zeros into that calculation because they have not worked those years.

We have to use this opportunity to make sure that how these decisions are made does not negatively impact women. It is actually this lack of understanding of women in the workforce that has resulted in many more women who are living in poverty today after the age of 65. Single older women are more than twice as likely as men to face poverty today.

The bipartisan support of my amendment in committee has encouraged me to offer an amendment to the pending resolution which I hope my colleagues will again support. We have to use reform and this added financial flexibility to address the specific shortfalls in the current structure that penalize women and oftentimes leave them in poverty following the death of their spouse.

My amendment would simply illustrate the support of the Senate for using reform as a mechanism, not just at protecting the status quo but actually improving the economic security of older women. I hope that the same commitment to address the needs of women in reform prevails when I offer

this amendment in the next several days.

Finally, Mr. President, I want to caution my colleagues about the dangers we face when fiscal policy development breaks down into partisan politics. We will not be successful unless we have a bipartisan effort. I urge my colleagues to think carefully about the constituents they have met and the people who have come to them asking them for help and support. We need to stay focused on these faces and remember that the budget is not just about economic or policy decisions but about decisions with real consequences and real human costs.

I am hopeful that as this budget process continues we can redirect our efforts and shift our priorities from short-term diversions to savings and investing in the future. We have made the tough decisions that have given us a budget surplus today. Like every family, we cut back and for several years maintained strict fiscal discipline. Let's follow the example of many families and use our surplus to invest and save—not to rush out to spend on lavish vacations or luxury items. Let's use basic common sense in deciding on the priorities of the first budget of the millennium.

Mr. DOMENICI. Mr. President, Senator ABRAHAM will have some comments and then our first amendment. How much time does the Senator desire?

Mr. ABRAHAM. Mr. President, 15 minutes. I believe I can make an opening statement and comments on the amendment.

Mr. DOMENICI. I yield 15 minutes to the Senator from Michigan.

Mr. ABRAHAM. Mr. President, let me begin by acknowledging, as others have, the work and accomplishment of our Senate Budget Committee, and particularly the work of our chairman, in putting together this budget which we are debating today.

A lot of people have tried to take credit with respect to the remarkably strong fiscal position we find ourselves in today. But I remind all of our colleagues that when, in 1995, this Senator arrived, notwithstanding tax increases and other such devices, we still were considering budgets with deficits as great as $200 billion for as far as the eye could see. We had one leader in the Senate, the chairman of the Budget Committee, who said, We are not going to allow that to happen; we are going to begin to strengthen the economy and tighten the belt in ways that eliminate the budget deficit.

I am proud to be a member of the committee and never to have voted for anything but a balanced budget since I became a part of that committee. I attribute that to our chairman and his staff for the hard work they have done to craft documents that have moved us in this direction.

Let me just briefly outline the budget we are looking at here today for the benefit of our colleagues who may be perhaps reaching the wrong conclusions as to what it contains on the basis of some of the speeches we have heard today. I want to set the record straight. Our budget accomplishes a number of important priorities. First, it sets aside every single dollar of the Social Security surplus so that we can use that Social Security surplus for exactly what the public expects us to use it for, and that is to fix Social Security and to ensure its long-term solvency. Later, I will offer an amendment here which will ask the Senate to take a position in support of the kind of protection and lockbox mechanism that will guarantee that every one of those Social Security dollars is used for that purpose.

Second, this budget makes important investments in two areas of public policy where I think there is a broad consensus of support, both inside the Senate as well as across America. One of those areas is education. This budget acknowledges a greater Federal investment in the support of education in our country. It does not dictate how those dollars will be spent, obviously. I think a lot of us feel they ought to be spent in the classroom.

With the budget chairman here, I ask if he could respond. I believe, Mr. Chairman, that this budget, in fact, increases education spending not only over its baseline increase but even beyond what has been proposed by prominent education advocates such as the President, is that not correct?

Mr. DOMENICI. The Senator is absolutely correct. In the first year, we recommended that $3 billion, in addition to what the President recommended, be spent for education, and over 5 years, $28 billion in new money on top of about $100 billion in the programs today.

We do express our concern in the event this money were used in the traditional way that we have done for the last 25 years of telling them exactly how to do it with a lot of strings. We are hoping it will move down to the classroom level with only accountability as to what the Federal Government requires.

Mr. ABRAHAM. I thank the Budget Committee chairman. I ask our colleagues to take note of this.

We have already heard people come to the floor and talk about how this budget doesn't do enough for education, while at the same time they are now saying it is the President who cares about investment in education.

This budget invests more in education than the President of the United States has proposed by a very substantial amount over the next 5 years. We will have a chance later to debate how that investment should be made.

I agree with the chairman of the Budget Committee—we want fewer ''Washington knows best'' solutions and more people at the local level making decisions as to how to use the dollars. It is the Republican's budget, not the President's, that puts more money in education.

Another investment that I think we all, particularly today, have to acknowledge is important is a greater investment in national security. Obviously, the current events in the Balkans once again remind us that America must have a sufficient investment in our security to be able to meet international challenges we confront.

To give the Senate an idea of exactly what we confront with respect to national security today, let me use one statistic. That is the decrease in levels of manpower and weaponry in just the last 8 years. Eight years ago, we engaged in Operation Desert Storm, an accomplishment of great military significance. If we had to do that again today, we would find ourselves severely strapped both with respect to the percentage of our total Armed Forces that would be needed to initiate that effort, as well as the amount of weapons from our total arsenal that would be needed. In fact, I believe it would take about 90 percent of today's Army, two-thirds of our fighter wings, two-thirds of our aircraft carriers, and the entire U.S. Marine Corps based on those current sizes today to replicate what we did in 1991.

If that doesn't demonstrate to us the need for a greater investment in national security, I don't know what does. If we need further arguments, I think we need only to look so far as the reinlistment rates which are, as everyone in this body knows, not at the level we require. We need to have better pay and better benefits, pension benefits, and so on, for our Armed Forces in order to encourage more people to join and to stay in the Armed Forces. We have already taken a step in that direction earlier this year, but we need to back up the Soldiers' Bill of Rights with budget authority to be able to move forward. That is what this budget does over the next few years.

Finally, I want to talk about two other things. This budget sets aside money not at all connected to Social Security, but, rather, surpluses wholly unrelated to our Social Security payroll taxes for the purpose of reducing the tax burden on the people who pay taxes in this country. What we are talking about is very simple: More money is coming into the Federal Treasury than even the biggest liberal spenders anticipated. It is coming faster than the IRS can count it. It is building up a surplus that is wholly unconnected to Social Security.

The question is, What should we do with some of those dollars? This budget sets aside a very substantial amount of money, but certainly not all of that money, for tax relief. Some say this isn't right; the money should be used for more spending programs, new spending programs, or it should go in some way to reduce the tax burden of people who are already paying the taxes. We don't agree. We think this money constitutes an overpayment. It is more money than we expected. If you make an overpayment, you ought to get a refund. That is what this budget

reflects. The refunds ought to go to the people who are making the overpayment. In my judgment, at least in some way, it ought to reflect approximately the percentage of their overpayment. To treat this as suddenly a tax break for a special interest group is simply missing the point.

We didn't just shut down a program to be able to finance a tax cut. We didn't make a transfer from one beneficiary group to another in order to be able to afford a tax cut. We said we are taking the money that is coming in and returning it to the American public. The Finance Committee, not the Budget Committee, will make that decision. We think at least a very substantial part of those surplus dollars ought to be used to help allow the people who created this surplus the chance to keep a little bit more of what they earn.

Finally, I want to talk about Medicare briefly, because I find the repeated comments with respect to this budget's failure to address Medicare to be so erroneous that they require a response. This budget puts more money into Medicare over the next 5 years than I believe was proposed by the President, and I will defer, again, to the Budget chairman when I have a chance here to clarify that. Unlike the President, we don't cut Medicare over the next 5 years. Furthermore, we set aside over $130 billion in this budget to be used precisely on things like fixing Medicare, that so many of our colleagues seem interested in doing.

The one thing we haven't done here that I want to address, we didn't say that we are just sort of going to use general tax revenues in order to stabilize and offset or postpone the insolvency of the Medicare Part A trust fund. We didn't do that here. I don't think that would be an appropriate precedent for us to set. We need to fix the Medicare Part A trust fund to make it work. It is broken. We all know that.

There was a Medicare commission and 10 out of 17 people, on a bipartisan basis, agreed that there was a way to do that—in fact, a way that wouldn't even cost as much with respect to Medicare expenditures. They couldn't get 11 votes for that final outcome, but they got 10—including two Members of this body, including the Member selected by the President to chair the Medicare commission, and in my judgment—I am sorry, four Members of this body and two on each side of the aisle.

The point is this, Mr. President. The idea that instead of putting together a plan to reform and make Medicare work, the idea to say we are simply going to throw more money into this without any concrete proposal as to how to spend the money, I think is a mistake.

In any event, I think this budget addresses the priorities. It locks away money for Social Security and every single penny that Social Security generates in surplus. It increases our investment in education and in national security. It allows us to give people who have paid more taxes than we expected the chance to get a little bit of that back. Finally, it sets aside considerable amounts of money to address our Medicare problems. For that reason, I support it.

How much time do I have left?

The PRESIDING OFFICER. The Senator has used 10 minutes.

AMENDMENT NO. 143

(Purpose: Providing a framework for the protection of Social Security Surpluses for current and future beneficiaries)

Mr. ABRAHAM. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Michigan [Mr. ABRAHAM], for himself, Mr. DOMENICI, Mr. ASHCROFT, Mr. LOTT, Mr. ROTH, Mr. VOINOVICH, Mr. GRAMS, Mr. GREGG, Ms. COLLINS, Mr. HAGEL, Mr. SANTORUM, and Mr. CRAIG, proposes an amendment numbered 143.

Mr. ABRAHAM. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place, insert the following:

SEC. . FINDINGS; SENSE OF CONGRESS ON THE PROTECTION OF THE SOCIAL SECURITY SURPLUSES.

(a). The Congress finds that—

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

(2) Reducing the Federal debt held by the public is a top national priority, strongly supported on a bipartisan basis, as evidenced by Federal Reserve Chairman Alan Greenspan's comment that debt reduction ''is a very important element in sustaining economic growth,'' as well as President Clinton's comments that it ''is very, very important that we get the Government debt down'' when referencing his own plans to use the budget surplus to reduce Federal debt held by the public.

(3) According to the Congressional Budget Office, balancing the budget excluding the surpluses generated by the Social Security trust funds will reduce debt held by the public by a total of $1,723,000,000,000 by the end of fiscal year 2009, $417,000,000,000, or 32 per cent, more than it would be reduced under the President's fiscal year 2000 budget submission;

(4) further according to the Congressional Budget Office, that the President's budget would actually spend $40,000,000,000 of the Social Security surpluses in fiscal year 2000 on new spending programs, and spend $158,000,000,000 of the Social Security surpluses on new spending programs from fiscal year 2000 through 2004; and

(5) Social Security surpluses should be used for Social Security reform or to reduce the debt held by the public and should not be used for other purposes.

(b) It is the sense of Congress that the functional totals in this concurrent resolution on the budget assume that Congress shall pass legislation which—

(1) reaffirms the provisions of section 13301 of the Omnibus Budget Reconciliation Act of 1990 that provides that the receipts and disbursements of the Social Security trust funds shall not be counted for the purposes of the budget submitted by the President, the congressional budget, or the Balanced Budget and Emergency Deficit Control Act of 1985, and provides for a Point of Order within the Senate against any concurrent resolution on the budget, an amendment thereto, or a conference report thereon that violates that section.

(2) Mandates that the Social Security surpluses are used only for the payment of Social Security benefits, Social Security reform or to reduce the Federal debt held by the public, and not spent on non-Social Security programs or used to offset tax cuts.

(3) Provides for a Senate super-majority Point of Order against any bill, resolution, amendment, motion or conference report that would use Social Security surpluses on anything other than the payment of Social Security benefits, Social Security reform or the reduction of the federal debt held by the public.

(4) Ensures that all Social Security benefits are paid on time.

(5) Accommodates Social Security reform legislation.

Mr. ABRAHAM. Mr. President, this amendment attempts to embody a principle I discussed in my remarks and which we in the Budget Committee, I think, within the committee at least, indicated we desired to see happen, which is the creation of a lockbox mechanism into which we would make sure every Social Security surplus dollar would go, so it could not be used for any purpose other than to fix Social Security or, until such a Social Security fix was developed and passed, to reduce the national debt.

This is a sense-of-the-Senate amendment. I want to make that clear. It is not a substantive amendment, per se. But, Mr. President, we all agree that saving Social Security is our No. 1 priority in this Congress. The President, both in his 1998 and his 1999 address, said we should save the Social Security surplus and use it—in this year's speech, he said we should use it to reduce Federal debt, to ensure that it is not squandered on other spending. This amendment embodies that principle in the form of a sense-of-the-Senate amendment and outlines the course by which I think we can accomplish that in the most appropriate fashion.

Indeed, Mr. President, this budget resolution agrees with that prioritization and allows for the entire surplus of Social Security to be protected and to substantially reduce the Federal debt held by the public. I thank the chairman of the Budget Committee with whom I have worked on this amendment, and I thank Senator ASHCROFT who joined me in offering that, who I think will both speak to this at some point.

This is a very straightforward proposal, one I think will best protect the surplus and strengthen our economy so that the future of Social Security can be best ensured.

Let me outline some of the provisions. It would strengthen the off-budget status of Social Security as well as provide for additional points of order

against any bill, amendment, resolution, or conference report that would violate this off-budget treatment.

Second, it would create a subcategory of the gross Federal debt limit, the debt held by the public. If this proposal were ultimately put into effect through law, we would then cap that publicly held debt at the current level of $3.6 trillion. We would also then mandate the reduction of that debt level in fiscal years 2000, 2001, and every 2 years thereafter, by the same amount as the Social Security trust fund surplus in those years.

These limits would be automatically adjusted as projected Social Security trust fund surpluses change, so as to ensure that we do not force ourselves to reduce the publicly held debt by a greater amount than we actually have available in the Social Security surplus, as well as to ensure that windfall Social Security surpluses would be protected from being raided. The proposal would also allow for a one-time adjustment to accommodate Social Security reform, should the Congress enact such reform.

This proposal, if it were actually passed into law, would reduce publicly held debt from $3.6 trillion to $2.4 trillion by the year 2009. I believe that is an even greater reduction than what the President's framework proposal suggested. It thereby locks away a larger portion of the Social Security surplus.

To that end, I might add that the budget resolution we have before us contains advisory caps on the publicly held debt limits which mirror those contained in this proposal. However, I believe it is necessary for the Congress to go beyond those advisory caps and to commit itself to reducing this publicly held debt and locking away the Social Security surplus from being spent on other programs. That is why I am joined by 11 colleagues, including Senators DOMENICI and ASHCROFT, as well as the majority leader and the chairman of the Finance Committee, Senator ROTH, in offering a sense-of-the-Senate amendment which will state that it is our intention to pursue such a course of action.

This amendment would state that it is our intention to pass legislation to reaffirm the off-budget status of the Social Security trust fund, mandate that the Social Security surplus only be used for the payment of Social Security benefits, Social Security reform, or the reduction of debt held by the public, and provide for protection such as points of order against any legislation which would try to circumvent those protections, ensure the Social Security benefits continue to be paid in full and on time, and accommodate Social Security reform.

We think this makes sense. We think it is consistent with colleagues on both sides of the aisle who have been talking about it for an extensive period of time. We think it made sense in this budget resolution to go on record saying this is the direction in which we are going to head. It is one thing to talk about saving Social Security and making sure that Social Security surpluses aren't spent, making sure we reduce the public debt with Social Security surpluses, and so on; but I think talk is one thing, action is another.

I suggest that the passage of this amendment which I have offered with my colleagues would be the sort of action that would set us on the right course to make sure that ultimately we do in fact protect the Social Security surpluses so they can only be used to fix Social Security or to pay down the national debt.

With that, Mr. President, I will yield the floor. I know other colleagues here want to speak on this issue, and in due course, as we go back and forth, I am sure they will. I thank the budget chairman and the current occupant of the manager's chair, and I thank our ranking member as well, for the opportunity to speak.

Ms. MIKULSKI addressed the Chair.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I rise not to rebut the amendment by the Senator from Michigan but to make an opening statement about this budget and certain very crucial items in it.

I compliment Senator LAUTENBERG for his strong advocacy as the ranking member of the Budget Committee and his longstanding championship for those people who have been left out and left behind. Sir, I thank you for your role not only in this budget but what you do every day in the Senate.

Through the best efforts, I am very concerned that the fiscal year 2000 budget resolution really does not adequately address the solvency of Social Security, nor does it address adequately the solvency of Medicare—the two most important programs that the United States has, domestically, and the ones that Americans universally rely upon and plan their life around having in a reliable way, that has reliability and continuity, and that the entire private sector assumes will be there as they plan private sector products.

Now, preserving Social Security and Medicare must be our Nation's top priority, and I believe the original efforts by the Lautenberg group were there. What we have before us today, I believe, does not protect Social Security.

Now, we say a lot in the Senate about family values. Well, I believe there is a value that comes out of the Judeo-Christian ethic I believe in, and it is called honor your father and honor your mother. I believe it is not only a good commandment to live by, I think it is a good commandment to govern by.

We should not only have it in our prayer books. We should have it in the Federal checkbook. This is why I am so adamant that we must save Social Security first and preserve the solvency of Medicare.

When we look at Social Security, we want to make sure that we protect those who have the least resources with them—those without pensions, those without IRAs, those without 401(k)s. These are the people who we know represent, as we speak, now, over 40 million people. If there are 40 million Americans without health insurance, you had better believe they are going to be the same 40 million who do not have 401(k)s. To them ''K'' means Kellogg, and it is a cereal. It is not a life security system.

I am particularly concerned about women. And I am particularly concerned about both men and women who, at the end of the day and near the end of their lives, will have no reliable pension program to look out for them.

This is what the Social Security issue is all about. I want to be sure that in any debate we have—whether it is on the budget, or whether it is the Social Security bills—I want to ensure that Social Security is universal and portable, that it is a guaranteed benefit, that it is inflation proof, and looks out, as I said, for those who do not have anything else going for them.

I have a particular interest in this as it affects women. That is because I truly believe that Social Security is a woman's issue. Without it, over half of all elderly women would now be living in dire poverty. Yes. Women today are working more outside the home, yes, and earning more than past generations. But in reality, their lifetime earnings, access to pensions, and ability to save continues to be less than men. That is why Social Security is a woman's issue. Let me elaborate.

First of all, women live longer. The life expectancy rate for women is 65, 4 years longer than for men. That means they will need income security for a longer period of time. Also, the equity that we placed in Social Security is absolutely crucial. Why? Because right now women do not get equal pay for equal work, making 70 percent of what men make for similar jobs. They will get less Social Security because their benefits are based in part on wages. That means the hard-working female x ray technician who puts in 40 hours a week might take home $28,000 a year instead of the financial worth that her male counterpart has.

We need a Social Security system, too, that women can count on, that respects values of work inside the home and acknowledges it in retirement. This is why the spousal benefit is so crucial and why we need to preserve it. Women move in and out of the paid marketplace to do some of the most important work—raising children and caring for elderly parents and their relatives. Take, for instance, someone who works in an office as an executive assistant. She got her high school diploma, didn't go to college, worked full time for 5 years, but leaves the workforce to raise her children. She might do that for 7 years and then return part time. Notice that she lost 7 years in

her contribution, and then is a part-time wage earner, and then often has to go back at an entry wage. This woman needs to know that Social Security is there for her, and that she is not penalized for what she did, which was the unpaid work for providing the most invaluable service to America; that is, raising America's children.

Certain ideas have been proposed to reforming Social Security which would have a devastating impact on women. Having reliance on private retirement accounts would hurt women disproportionately. Again, women earn less money, unequal pay, leave the paid workforce to raise children, or care-give, and would have less to ''invest.'' Reducing the Social Security COLA would hurt women. And there are other reforms.

But the point that I make is that Social Security as it now stands is the best deal for women. Sure, we need to make reforms. Sure, we need to look at the other ideas. That is why we should not cut or dramatically alter Social Security. Sure, it can pay benefits into 2032. But we have to look ahead to be sure that there is solvency of Social Security.

That is why we support the Lautenberg effort. We want to be sure that for women who have worked all of their lives, in the home or outside the home, there will be a guaranteed benefit with a full cost of living, that it will have a progressive benefit formula that helps the low-income wage earners, and that there is a spousal and survivor benefit for married women, divorced and widowed. The only way we can do that is if we take the surplus and put 62 percent aside, and also 15 percent for Medicare. Otherwise, this is a hollow budget full of promise and hollow on opportunity.

Mr. President, I salute the efforts of Senator LAUTENBERG. I am deeply disturbed that we are not setting aside 62 percent as we talked about. I do not believe the other party adequately protects Social Security, adequately protects Medicare, and I believe that ultimately the American people will wake up to this.

As it stands now, I will vote no for this budget.

Mr. LAUTENBERG. Mr. President, I will take a couple of minutes with the agreement of the Senator from Minnesota just to respond, A, to say thank you to my dear friend and colleague for her complimentary remarks, but even more importantly than that—because flattery is nice, but effectiveness is even better—and the Senator from Maryland has been a known, strong advocate for the things that she believes in.

I greet Senator MIKULSKI each time I see her with the knowledge that she has enhanced our view of what life is really about by bringing a perspective that comes from the women's side that is so often left out. She knows also too well that she hits a familiar tone with me when she talks about Social Security, because my father died before my mother was 36 years old. She had nothing but bills and an obligation to my 12-year-old sister and an 18-year-old son who had already enlisted in the Army to support her. She did it by sheer dent of hard work and will.

If we had in that family, going back now—we are talking about 1943—the benefit of a Social Security Program, a check coming in that would kind of help relieve not only the fiscal financial obligations, but the anxiety that accompanies the worry about that, if we had Medicare or Medicaid in those days when my father died at the age of 43, a strapping handsome man—cancer overtook him, and he died leaving doctors bills. So we had not only enormous grief, but the obligation to pay off the doctor and hospital bills that were accumulated with no insurance program.

So when we talk about Social Security, we talk about women who are typically those left most often with the smallest share of assets, because of the way we are structured. We need to make sure that Social Security is going to be there. We need to make sure that Medicare is going to be solvent for a number of years. Yes. We are not disagreeing with the need to reform and improve, if possible, but to make sure that it is equitably distributed. We need time. We need the assurance that the programs are going to be there.

I for one will jump on the reform-and-improve bandwagon as soon as we have a good vehicle to take us along.

So I thank the Senator from Maryland for her comments.

I see my friend also from California was so nice before to give me credit for some things I probably don't deserve. But, nevertheless, the credit is nice to get.

I thank both Senators.

I yield the floor.

Mr. GRAMS addressed the Chair.

The PRESIDING OFFICER (Mr. DEWine). The Senator from Minnesota.

Mr. GRAMS. Mr. President, I wanted to take about 15 seconds.

We have heard time after time from speaker after speaker on the other side of the aisle that somehow the Republican budget doesn't protect or set aside money for Social Security. We set aside all the Social Security surpluses. It is earmarked in a lockbox for Social Security. So that is not what we are saying. One good thing about our budget is we don't spend it. The President, under his budget, spends $158 billion of the Social Security surplus. Our budget doesn't. So I think we do a better job on securing and saving Social Security.

I would like to yield to my friend from Missouri.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. ASHCROFT. Thank you very much, Mr. President. I thank the Senator from Minnesota.

I rise in support of the resolution offered by Senator ABRAHAM that has been called the Abraham-Domenici-Ashcroft Social Security amendment. That protects our strong support for saving Social Security.

It expresses our strong support for protecting Social Security. I am grateful for the opportunity to cosponsor this amendment, which will put the Senate on record in favor of protecting the Social Security surplus and not invading it for spending for other Governmental programs.

The Senator from Minnesota is absolutely correct. The President's budget over the next 5 years would spend $158 billion of the Social Security surplus—not the general Governmental surplus but the Social Security surplus. Social Security is a national, cultural and, I might add, legal obligation. Social Security is our most important social program, a contract between the Government and its citizens. Americans, including 1 million Missourians, depend on this commitment. This is more than just a Governmental commitment. We have a responsibility as a culture to care for the recipients of Social Security—the elderly and other individuals in regard to Social Security who are its beneficiaries. Social Security is the only retirement income for most of the seniors in this country. It is our obligation, passed down from generation to generation, to provide retirement security for every American.

As individuals, all of us care about Social Security because we know the benefits it pays to our mothers and fathers, relatives and friends. And we think of the Social Security taxes we and our children pay—up to 12.4 percent of our income. We pay these taxes with the understanding that they help our parents and their friends, and we hope that our taxes will somehow, someday make it possible to help pay for our own retirements.

In my case, thinking of Social Security brings to mind friends and constituents such as Lenus Hill of Bolivar, Missouri, who relies on her Social Security to meet living expenses. Billy Yarberry lives on a farm near Springfield and depends on Social Security. And there is Reverend Walter Keisker of Cape Girardeau, who will be 100 years old next July and lives on Social Security. The faces of these friends make Social Security have a special, personal meaning to me.

Whenever I meet with folks in Missouri, I am asked, ''Senator, you won't let them use my Social Security taxes to pay for the United Nations, will you?'' Or, ''Why can't I get my full benefits if I work after 65?'' Or, ''You know I need my Social Security, don't you?''

And then there are the letters on Social Security I get every day.

Ed and Beverly Shelton of Independence, Missouri, write:

> Aren't the budget surpluses the result of Social Security taxes generating more revenue than is needed to fund current benefits? Therefore, the Social Security surplus is the surplus! . . . Yes, we are senior citizens and receive a very limited amount of Social Security. We are children who survived the

Great Depression and World War II so we know how to stretch a dollar and rationed goods—just [listen to this] wish Congress were as careful with spending our money as we are!

These concerns are why I am cosponsoring this amendment, which will express the Senate's view that we must put an end to the practice of using surpluses in the Social Security trust funds to finance deficits in the rest of the Federal budget.

This resolution—the Abraham-Domenici-Ashcroft resolution—puts the Senate on record as supporting legislation that would accomplish the following:

(a) Reaffirming the provisions of section 13301 of the Onnibus Budget Reconciliation Act of 1990. This section provides that the Social Security trust funds shall be off budget.

(2) Mandating that the Social Security surpluses are to be used only for the payment of Social Security benefits, Social Security reform, or to reduce the federal debt held by the public, and not spent on non-Social Security programs or used for tax cuts.

(3) Providing for a Senate super-majority point of order against any bill, joint resolution, amendment, motion, or conference report that would use Social Security surpluses on anything other than the payment of Social Security benefits, Social Security reform, or to reduce the federal debt held by the public.

That is very important. We include in this proposal not just a statement that we want to reserve Social Security for the right purposes, but we want to create a point of order that makes out of order a proposal that we spend Social Security to cover deficits in other parts of the Government.

Additionally, this particular measure ensures that all Social Security benefits are paid on time.

I am in favor of two provisions that will accomplish these objectives. First, I am a cosponsor of the Abraham-Domenici lockbox provision, which will lock away Social Security surpluses by ratcheting down the publicly held debt by the amount of our Social Security surpluses. This resolution puts the Senate on record in favor of this legislation.

In addition, Senator DOMENICI and I have introduced the Protect Social Security Benefits Act, which would make it out of order for the Senate to pass, or even debate, a budget that uses Social Security surpluses to finance deficits in the rest of the budget.

Under this proposed legislation, a three-fifths vote in the Senate would be required to overcome this point of order, thereby making it extremely difficult to use the Social Security surplus to fund new deficit spending. We must make clear that the Federal Budget should be balanced without counting any Social Security surpluses.

Social Security should not finance new spending. But that is exactly what has happened in the past, is now happening, and will continue happening in the future, unless changes are made. The funding of Federal deficits in Government spending generally by consuming Social Security surpluses must end.

Walling off the trust funds is the first step, not the only step, needed to protect Social Security. This is the right way to start the effort to improve Social Security so it is strong for our children and grandchildren.

To do this, we need to be honest, realizing that, for now, time is on our side to make thoughtful improvements. Social Security does now and will in the near future accumulate annual surpluses.

Together, income from payroll taxes and interest is greater than the amount of benefits being paid out. The Social Security trustees believe that these surpluses will continue each year for the next 14 years. In that time, a $2.8 trillion total surplus will accumulate.

In the year 2013, however, when more baby boomers will be in retirement, annual benefit payments will exceed annual taxes received by Social Security through taxes and interest to the fund. As a result, Social Security will run an annual deficit. By 2021, annual benefit payments will exceed annual taxes received by Social Security and interest earned on the accumulated surpluses. Then, by the year 2032, Social Security payroll taxes will not only be insufficient to pay benefits; the surpluses will be used up. Social Security will be bankrupt. That is, even counting the notes in its fund, incapable of meeting the demand for benefits.

In recent years, Social Security surpluses have been used to finance deficit spending in the rest of the Federal budget. Take fiscal year 1998 for example. The Social Security surplus was $99 billion. The deficit in the rest of the Government budget was $29 billion. So $29 billion—or 30 percent of the Social Security surplus—financed other Government programs that were not paid for with general tax revenues. This occurred despite President Clinton's promise to save ''every penny of any surplus'' for Social Security.

For next year, this money shuffling is even greater. According to CBO, the President's budget dips into the Social Security surplus to the tune of $158 billion over 5 years to pay for government spending.

This kind of money shuffling must end. I cannot go back to Lenus Hill or Billy Yarberry and tell them that I stood by silently as the government devoted spent $158 billion of their retirement money to pay for the President's new spending initiatives somewhere else. We must stop the dishonest practice of hiding new government deficits with Social Security surpluses.

This amendment is designed to express the sense of the Senate that we must not use surpluses in the Social Security trust funds to pay for deficits in the rest of the federal budget. Three times Congress has passed laws that tried to take Social Security off-budget. These efforts have called for accounting statements that require the government to keep the financial status of Social Security separate from the rest of the budget. But these efforts are inadequate unless Congress puts in place safeguards that protect surpluses in Social Security from financing new government spending.

This amendment will put the Senate on record in favor of helping us save the trust funds, by directing the entire Social Security surplus to shrink the publicly held federal debt. Reducing the publicly held debt would cut annual interest costs that now cost $200 billion and 15 percent of entire federal government budget. Eliminating this interest costs would provide more flexibility to address the long-term financing difficulties Social Security now faces that could someday jeopardize payment of full benefits.

This amendment is designed to express our support for protecting the Social Security system. More importantly, it is designed to protect the American people from attempts to spend our retirement dollars on current government spending. While I value the Social Security system, I value the American people, people like Lenus Hill and the 1 million other Missourians who receive Social Security benefits and depend on them more. I value those individuals far more than I value the system. My primary responsibility is to them. This amendment will protect the Social Security system and the America people first.

Mr. President, I send another amendment to the desk.

The PRESIDING OFFICER. There is a pending amendment, the Chair would inform the Senator.

Mr. ASHCROFT. Mr. President, being made aware of the pending amendment which is now before the Senate, I withdraw my request to send an amendment to the desk.

PRIVILEGE OF THE FLOOR

Mr. ASHCROFT. Mr. President, I ask unanimous consent that Kriz Ardizzone, Tevi Troy, and Jim Carter, members of my legislative staff, be granted the privilege of the floor during the pendency of the budget resolution.

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

Mr. ASHCROFT. Mr. President, I thank the Senator from Minnesota for his excellent work. I look forward to working with him as we bring this budget to the American people. I believe it has the potential of being the best budget in years.

Mr. GRAMS. Mr. President, I appreciate the kind words of the Senator from Missouri.

NATIONAL SCHOOL VIOLENCE VICTIMS' MEMORIAL DAY

Mr. GRAMS. Mr. President, I ask unanimous consent that S. Res. 53 be

discharged from the Judiciary Committee and the Senate now proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution.

The legislative clerk read as follows:

A resolution (S. Res. 53) to designate March 24, 1999, as ''National School Violence Victims' Memorial Day.''

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

Mr. ROBB. Mr. President, I rise today to express my support for Senate Resolution 53, which declares March 24, 1999 as ''National School Violence Victims' Memorial Day.''

As a number of my colleagues noted, the past year has been a grim one for educators, parents, and students. The tragic events in schools in Arkansas, Kentucky, and Oregon shocked the conscience. I'm thankful that in my home state of Virginia, no one was killed at school in 1998. But this past summer in Richmond, a volunteer and teacher were wounded by gun fire from a fourteen-year-old student. All of these events were terrible blows to families and friends in each community. I hope today's resolution will give some solace to those communities, who will know that the Congress has not forgotten them.

For the nation as a whole, these events were a terrible blow as well, and I believe Congress has an obligation to follow up with a commitment to preventing future school violence because while schools are a relatively safe place for our children, the events of the past year have shaken our confidence. School children have written to me expressing the fear that they will be attacked, and I know their parents have similar fears. We cannot expect our children to achieve their best in such an environment.

We've already taken a number of steps that I hope will help allay these fears. Later this year, more than $165 million in school safety grants will be awarded by the Department of Justice's Community Oriented Policing Services program. I want to thank my colleagues, particularly Senators GREGG and HOLLINGS, for supporting efforts last year to increase funding for this program, which I initiated in 1997. I ask my colleagues to support funding for this important program again this year.

Later this year, as we consider juvenile justice reform legislation and the reauthorization of the Elementary and Secondary Schools Act, I will be looking at other ways to help make our schools safer, and I look forward to working with my colleagues on that effort as well. Students should worry about their next test, not about their safety. Fear should not be a part of any school's curriculum.

Mr. BAUCUS. Mr. President, I want to take just a brief moment to thank my colleagues for passing this resolution marking today as National School Violence Victims Memorial Day.

Let me tell you why this day is so important to me and to the citizens of Butte, Montana.

Butte fifth grader Jeremy Bullock was 11 years old when he and his twin brother Joshua left for school together as they always did. The day was April 12, 1994. Jeremy didn't come home from school that day. He was shot and killed on the playground, leaving family and a community forever changed.

By recognizing March 24th as National School Violence Victims Memorial Day we will be honoring the memory of Jeremy Bullock and countless other children, families and communities by saying clearly, with one voice that we as Americans will meet the challenge of eradicating violence from our schools.

So, today and every day, let us always remember Jeremy Bullock. For, though he is gone, his memory will always linger and help to fuel our work.

Mr. HUTCHINSON. Mr. President, I rise this evening to join my colleague, Senator LINCOLN, my other colleague in the Senate, to honor our Nation's children and citizens who have been victimized by school violence.

The Senate just adopted Senate Resolution 53 which designates March 24, today, as ''National School Violence Victims Memorial Day.'' As you know, 1 year ago today at the Westside Middle School in Jonesboro, AR, five children and one teacher lost their lives to an inexplicable and cowardly act of violence. Ten others were left wounded, and countless parents, relatives, and friends were left permanently scarred. In addition, the entire State of Arkansas was left numb with shock, horror, and grief.

I cannot express the loss and the pain that we feel as a result of this tragedy. But I ask you and my fellow colleagues in the Senate to reflect on the loss of Natalie Brooks, Paige Ann Herring, Stephanie Johnson, Britthney Verner, and Shannon Wright.

We hurt for these families. I know that the simplest things in life will forever cause them pain. For instance, I know that Floyd Brooks will never see another frog without thinking of the frog collection which his daughter Natalie was so proud of.

We remember that Paige Ann Herring was a very bright, intelligent 12-year-old girl who loved life and enjoyed it to the fullest through such activities as playing the piano, softball, volleyball, basketball, singing in the school choir. It saddens me, and I think all of us, so much that we will no longer hear her voice.

It is the little things. Stephanie Johnson believed that a ladybug's landing on her brought her good luck. And her mother knew that her prayers for peace were answered when she asked God for a sign that Steph was OK and then upon her next visit saw ladybugs on Stephanie's gravestone.

We remember today that Britthney Varner was an extremely caring and loving little girl who got good grades and loved daffodils.

I know that Mitchell Wright will never look at his son, Zane, without thinking of Zane's mother, Shannon, who gave her life to save the lives of her students.

I want these families to know that while we can never fully know the pain they feel today, we will certainly never forget their loved ones.

As I close, I want to give a special message to Zane Wright, Shannon Wright's infant son Zane.

Your mother was a genuine heroine. Scripture teaches us that there is no greater love than the love it takes to lay down your life for another. So whenever you wonder what you mother was like, remember her as an incredibly brave woman who loved others like few others in this world ever have.

In addition, to the families of the victims of school violence in Bethel, AK; Pearl, MS; West Paducah, KY; Edinboro, PA; Pomona, CA; Springfield, OR; and the rest of the Nation—we want them to know that we stand today to honor their loved ones.

Thank you, Mr. President.

I yield the floor to my colleague from Arkansas.

The PRESIDING OFFICER. The Senator from Arkansas.

Mrs. LINCOLN. Thank you, Mr. President. And I thank my colleague from Arkansas.

Mr. President, I join my colleagues, all of my colleagues, here today, but especially my fellow colleague from Arkansas, Senator HUTCHINSON, in a very special effort to designate March 24, 1999, as National School Violence Victims Day.

As mentioned by my colleague, a year ago today the peaceful routine of a small middle school just outside of Jonesboro, in my home State of Arkansas, was forever changed. People across our country still grieve over the tragic shooting of four 11-year-old children and one 32-year-old schoolteacher of Westside Middle School.

The heartbroken families of victims Natalie Brooks, Paige Ann Herring, Stephanie Johnson, Britthney Varner, and teacher Shannon Wright still question why it happened. What prompted two boys at the tender ages of 13 and 11 to violence? What spurred them to shoot their schoolmates and their teacher? The answers may be beyond our comprehension.

Mr. President, the shooting at Westside Middle School is one of the gravest tragedies in the history of our State and our country. Though time has evoked some healing and renewed confidence, the children and teachers of Westside Middle School were apprehensive when returning to school last fall. Teachers had to comfort nervous children. Parents had misgivings. And playmates longed for their young friends. Having seen such young children fall to their death at the hands of classmates right before their very eyes, this brave community is having a hard time making sense of it all. We all are having a hard time making sense of it all.

Sadly, last year's tragedy in my home State is not an isolated event. Over the past 18 months, gun violence has claimed lives at schools in Pearl, MS, as mentioned by my colleague; West Paducah, KY; Edinboro, PA; Fayetteville, TN; Springfield, OR; and Richmond, VA. Each time as our country watched in horror, we wondered if this senseless violence would ever stop.

Mr. President, the picture painted by these images is ghastly indeed. Our Nation's schools are not just buildings where children and teachers spend their days. They are the cornerstones of our communities and the centers of young precious lives. Parents send their children to school day after day with the expectation that they will learn and that they will be safe. There are many things we can do in the Senate to curb school violence. We must not allow schools to become places to fear.

I urge this body to examine this escalating problem. And I urge each Senator to use National School Violence Victims Day to create a dialogue with school communities in their States. When an entire community works together to improve its schools, everyone benefits. Every child deserves the opportunity to attend a safe school where he or she may worry about math and science, not guns and violence.

Thank you, Mr. President.

I yield back the remainder of our time.

Mr. DODD addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. I ask unanimous consent to be added as a cosponsor on the resolution offered by both of our colleagues from Arkansas. I commend them highly for this. I hope all of our colleagues will join them.

This is the kind of issue we need to speak out on. Incidents like these have caused great pain across the country. Yet, too often, the problem of school violence only receives attention at the moment a tragedy occurs.

So I commend both of my colleagues and ask to be added as a cosponsor.

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

Mr. GRAMS. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to S.Res. 53 appear at the appropriate place in the RECORD.

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

The resolution (S.Res. 53) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 53

Whereas approximately 10 percent of all public schools reported at least 1 serious violent crime to a law enforcement agency over the course of the 1996–97 school year;

Whereas in 1996, approximately 225,000 students between the ages of 12 and 18 were victims of nonfatal violent crime in schools in the United States;

Whereas during 1992 through 1994, 76 students and 29 non-students were victims of murders or suicides that were committed in schools in the United States;

Whereas because of escalating school violence, the children of the United States are increasingly afraid that they will be attacked or harmed at school;

Whereas efforts must be made to decrease incidences of school violence through an annual remembrance and prevention education; and

Whereas the Senate encourages school administrators in the United States to develop school violence awareness activities and programs for implementation on March 24, 1999: Now, therefore, be it

Resolved, That the Senate—

(1) designates March 24, 1999, as ''National School Violence Victims' Memorial Day''; and

(2) requests the President to issue a proclamation designating March 24, 1999, as ''National School Violence Victims' Memorial Day'' and calling on the people of the United States to observe the day with appropriate ceremonies and activities.

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2000

The Senate continued with the consideration of the concurrent resolution.

AMENDMENT NO. 143

Mr. GRAMS. Mr. President, I rise to strongly support the safe-deposit box amendment to lock in any future Social Security surpluses to be used only for Social Security benefits, Social Security reform and national debt reduction. I am pleased to join Senators ABRAHAM, DOMENICI, and ASHCROFT in offering this amendment.

Mr. President, we all agree that Social Security is facing a fast-approaching crisis and fundamental reforms are needed to save and strengthen the nation's retirement system. The question is, how do we proceed?

President Clinton unveiled his Social Security proposal under his FY 2000 budget. The bottom line on his plan is that it allows the government to control the retirement dollars of the American people by investing it for them.

It does nothing, however, to save Social Security from bankruptcy. Worse still, despite his rhetoric of saving every penny for Social Security, President Clinton has proposed to take $158 billion in Social Security dollars to finance government programs unrelated to Social Security. Let me say that again—under the President's budget, he proposes to take $158 billion from the Social Security surplus fund and spend it on other unrelated government programs. That is not saving Social Security first.

The only positive aspect of his proposal is that the President has admitted the insolvency of Social Security and has recognized the power of the markets to generate a better rate of return, and therefore improve benefits.

The fundamental problem with our Social Security system is that it's basically a Ponzi scheme—that is, a pay-as-you-go pyramid that takes the retirement dollars of today's workers to pay benefits for today's retirees.

It has no real assets and makes no real investment. With changing demographics that translate into fewer and fewer workers supporting each retiree, the system has begun to collapse.

Social Security operates on a cash-in and cash-out basis. In 1998, American workers paid $517 billion into the system, but most of the money, $391 billion, was immediately paid out to 44 million beneficiaries the same year. That left a $126 billion surplus. The total accumulated surplus in the trust fund is $750 billion.

Unfortunately, this surplus is only on paper. The government has consumed all the $750 billion for non-Social Security related programs. All it has is the Treasury IOUs that fit in four ordinary brown accordian-style folders that one can easily hold in both hands.

So when Social Security begins to run a deficit, the government has to do a couple of things. The government has to either tighten its belt, raise taxes, or borrow more from the public, or it has to lower benefits or raise the retirement age.

There is a lot of double-counting and double talk in President Clinton's Social Security framework. The truth of the matter is the President spends the same money twice and claims that he has saved Social Security.

All the President has done is create a second set of the IOUs to the trust fund. It is like taking the money he owes Paul out of one pocket and applying it to the money he owes Peter in the other pocket, and then pretending that he has doubled his money and is now able to pay them both.

In addition, the President has proposed to spend $58 billion of Social Security money in FY 2000 for his new government spending. Over the next five years, he will spend $158 billion of Social Security money.

President Clinton's plan does not live up to his claim of saving Social Security. He has not pushed back the date for when the Social Security trust fund will begin real deficit spending. That date is still the same—2013. Social Security will have a shortfall that year and it the shortfall will continue to grow larger year after year.

By 2025, the shortfall will be over $360 billion a year and by 2035, it will explode to $786 billion, but by 2055, the deficit will run as high as $2.07 trillion.

Since the government has spent the surplus and has not set aside money to make up for this shortfall, it will have to raise taxes to cover the gap—something that economists estimate will require a doubling of the payroll tax.

The proposal by the President to have the government invest a portion of the Social Security Trust Funds is no solution. It would give the government unwarranted new powers over our economy, and it will not provide retirees the rate of return they deserve.

In last year's Humphrey-Hawkins hearing, I asked Federal Reserve Chairman Alan Greenspan whether we should allow the government to invest the Social Security Trust Funds in the markets, and if this is the right direction in which we should be going. Here are his exact words:

No, I think it's very dangerous . . . I don't know of any way that you can essentially insulate government decision-makers from having access to what will amount to very large investments in American private industry . . .

I am fearful that we are taking on a position here, at least in conjecture, that has very far-reaching, potential danger for a free American economy and a free American society.

It is a wholly different phenomenon of having private investment in the market, where individuals own the stock and vote the claims on management, (from) having government (doing so).

I know there are those who believe it can be insulated from the political process, they go a long way to try to do that. I have been around long enough to realize that that is just not credible and not possible. Somewhere along the line, that breach will be broken.

Mr. President, Chairman Greenspan is right. We should never venture out onto what the Chairman calls ''a slippery slope of extraordinary magnitude.''

It is going to take real reform, not Washington schemes, to help provide security in retirement for all Americans. The first essential step is to stop raiding from the Social Security Trust Funds, and truly preserve and protect the Social Security surplus to be used exclusively for Social Security. This is exactly what this safe-deposit box amendment will achieve. This amendment would first take Social Security completely out of the Federal budget and it requires the surplus to be used only for Social Security benefits, Social Security reform and debt reduction. It creates a super-majority point of order for using this surplus for other purposes. The amendment also ensures all Social Security benefits will be paid in full.

Many of us in Congress agree with the President that we should, and indeed must, devote the entire Social Security surplus to saving Social Security, not just to talk about it, but do it; not spend the money, but to set it aside. However, his plan does not do what he says while ours does. Again, I urge my colleagues to support this amendment.

I thank the Chair, and I yield the floor.

Mr. ROTH. Mr. President, I rise in support of the Abraham amendment. This amendment expresses the sense of the Senate that the Social Security surpluses be used only for preserving and protecting Social Security, and that new procedural safeguards be enacted to ensure this outcome.

The Abraham amendment provides an important first step in saving Social Security, and is an excellent occasion to reflect on the issues before the Congress in preserving Social Security for the long-term. Social Security's financial problems of Social Security are well known, but bear repeating. In just 15 years, in 2013, Social Security benefit payments will exceed revenues, and Social Security will need to tap its Trust Fund.

Today's Trust Fund is relatively small, equal to about a year-and-a half benefits and intended as a cushion in an economic downturn. However, the Trust Fund will swell over the next 15 years because of payroll tax surpluses and interest. Between 2013 and 2032, Social Security Trust Fund will need to spend over $6 trillion for benefits. But the Trust Fund is simply a claim on the U.S. Treasury. Future taxpayers—our children, our grandchildren, even our great grandchildren—will have to pay off this debt. Even so, the Trust Fund will be empty in 2032, and Social Security can pay only 75 percent of benefits from annual revenues.

Worse yet, the President has proposed to add even more debt to the Trust Fund. Although the President claims his plan would extend solvency to 2050, in fact the President would simply commit another $24 trillion of future Federal budgets to Social Security. David Walker, head of the General Accounting Office, delivered this stark assessment of President's proposal at a February 9th Finance Committee hearing: ''It would be tragic indeed if [the president's] proposal, through its budgetary accounting complexity, masked the urgency of the Social Security solvency problem and served to delay much-needed action.''

Most traditional fixes won't work, either. Social Security has faced financial crises before—in 1977 and again in 1983. Both times, the biggest part of the solution was a hike in payroll taxes. The result? Today, 80 percent of American families pay more in payroll taxes than income taxes (with the employer share factored in). And let's remember, Social Security taxes are on the first dollar of income—no deductions, no exemptions.

Mr. President, there is broad bipartisan agreement that there may be another way to preserve and protect Social Security benefits—personal retirement accounts. While proposals differ, personal retirement accounts would provide each working American with an investment account he or she owns. With even conservative investment in stocks and bonds and the power of compound interest, personal retirement accounts can provide a substantial retirement nest egg.

As Senator PAT MOYNIHAN, my colleague on the Senate Finance Committee, has pointed out, with annual deposits equal to just 2 percentage points of the current payroll tax, ''A worker who spent 45 years with the Bethlehem Steel Company could easily find himself with an estate of half a million dollars. The worker could pass on that wealth to his or her heirs.''

How remarkable!

Personal retirement accounts embody other enduring American values as well. Creating these accounts would give the majority of Americans who do not own any investment assets a new stake in America's economic growth—because that growth will be returned directly to their benefit. More Americans will be the owners of capital—not just workers.

Creating these accounts may encourage Americans to save more. Today, Americans save less than people in most countries, and even this low savings rate has declined in recent years. Personal retirement accounts will demonstrate how even small personal savings grow significantly over time.

Creating these accounts will help Americans to better prepare for retirement. According to one estimate, 60 percent of Americans are not actively participating in a retirement program other than Social Security. Indeed, most Americans have little idea of what they will need in order to retire when and how they want. Personal retirement accounts can help Americans—particularly Baby Boomers—better understand retirement planning.

And these accounts may point the way to a more flexible Social Security program. Today, Social Security is a ''one-size-fits-all'' program. People receive a fixed benefit based on earnings and the number of years worked, with the earliest benefits available at age 62. But if an individual takes early retirement but still wants to work, Social Security cuts his or her benefits. Personal accounts can be crafted to give individuals more control over retirement decisions, and eliminate the penalty for working.

Setting up a personal retirement accounts program will be a big job. Who will hold, manage, and invest the accounts? How much will it cost to run the program? What kinds of investment choices should be allowed? How to finance the accounts? The White House Conference should tackle each of these issues. Fortunately, there are proven models, such as the Federal Thrift Savings Plan, a pension savings and investment plan for Federal employees.

Indeed, I have introduced legislation, S. 263, the Personal Retirement Accounts Act of 1999, that would get accounts up and running with a portion of the budget surplus to answer just these questions.

Mr. President, personal retirement accounts have one other big promise. Poll after poll find that Social Security is the most popular Federal government program, deservedly so. But the same polls also show that many Americans, particularly young Americans, doubt they will receive benefits when they retire. Personal retirement accounts can provide the accountability and assurances that Americans are asking for, and restore the confidence of the American people in Social Security.

Ms. COLLINS. Mr. President, I ask unanimous consent the Senator from

Arizona, Senator MCCAIN, be added as a cosponsor of the ABRAHAM amendment.

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

Ms. COLLINS. Mr. President, I want to start by commending the distinguished chairman of the Budget Committee for his outstanding work in producing this budget. He has been such a leader in fiscal responsibility. Once again he has done an outstanding job in crafting this budget resolution. I am pleased to be a cosponsor of the amendment offered by my friend and colleague from Michigan, Senator ABRAHAM. This amendment would preserve and protect Social Security. I also commend Senator DOMENICI for his very innovative work in crafting this very important amendment.

President Clinton has proposed devoting 62 percent of the surplus over the next 15 years to shoring up Social Security. On the surface, that sounds good. After all, we are all committed to protecting Social Security. But let's take a closer look at the President's proposal.

On closer examination, the President's plan is nothing but a shell game. First, he devotes to the Social Security trust fund trust fund payroll taxes that already belong to Social Security. Then he lends this money to the Federal Government for new programs. The bottom line is that instead of preserving the money for Social Security, President Clinton actually ends up spending $158 billion of Social Security's money for programs completely unrelated to Social Security. Both the General Accounting Office and the Congressional Budget Office have pointed out the double counting and the other significant flaws in the President's proposal.

Social Security is currently running a surplus because the program is taking in more in payroll taxes than it is paying out in benefits. But, as the Presiding Officer well knows, this will not always be the case.

In 2013, payroll taxes will not be sufficient to pay benefits and the Social Security program will either have to raise taxes, cut spending, go further into debt, or use more general fund money, if we are to continue to meet our full obligation to Social Security beneficiaries. By the year 2030, the trust fund will be completely exhausted if we do not take steps to save the program. We certainly, given this dire picture, cannot afford to squander the Social Security surpluses by spending them on other programs.

The current Social Security surplus conceals the true picture of our national budget. But for the temporary Social Security surplus, the Federal Government would actually be running a $6 billion deficit this year. I want to repeat that. There is a lot of misunderstanding. A lot of people think that we actually have a surplus in this upcoming year. The fact is, the surplus is due entirely to the surplus in the Social Security trust fund. If we take out the Social Security surplus, we would in fact be running a $6 billion deficit.

The fact is, there is no real surplus in fiscal year 2000. We do not start to see real surpluses in the rest of the Government programs until the fiscal year 2001.

The amendment that I have cosponsored, which is before us today, expresses the sense of the Senate that we pass legislation that would lock in Social Security surpluses by mandating that trust fund dollars could be spent only for the payment of Social Security benefits for Social Security reform or to pay down our national debt. Under this lockbox proposal, Social Security funds could not be spent on non-Social Security programs. They also could not be used to finance tax cuts.

This legislation would establish in law a declining limit on the level of debt held by the public. These limits would decline in 2-year intervals by an amount equal to the Social Security trust fund surpluses for those years. Under this proposal, trust fund balances could be used to retire the debt, but not for new spending on programs unrelated to Social Security. The result of this innovative program is that public debt would decline by $417 billion. That is 32 percent more than it would under the President's proposal.

Mr. President, in 1998 alone, the Federal Government spent nearly $162 billion to make interest payments on our national debt. That amounts to more than 6.7 percent of total Federal spending. In passing this important legislation, we would free up this money that otherwise would have to be spent on interest payments on our national debt.

This amendment clearly affirms our commitment to preserving and protecting Social Security. It safeguards the Social Security trust fund from spending raids. It reduces our public debt. It lowers our interest payments.

I urge all of my colleagues to join me in supporting this very important initiative.

Once again, I commend the Senator from Michigan, Mr. ABRAHAM, and the Senator from New Mexico, Mr. DOMENICI, for their innovative approach in coming up with a program that will truly protect our Social Security surpluses.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. I thank the Chair.

Mr. President, I will be offering an amendment. Have we dealt with the amendment of the Senator from Minnesota? I ask unanimous consent that the amendment be laid aside.

The PRESIDING OFFICER. Is there objection?

Mr. CRAPO. Reserving the right to object, I want to speak briefly on that amendment before we lay it aside, if possible, or can we come back to it?

Mr. LAUTENBERG. I have no objection.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAPO. Mr. President, I am pleased to join my good friends, Senators ABRAHAM, DOMENICI, and ASHCROFT, in supporting this amendment. I appreciate the courtesy allowing me to make these remarks before we set the amendment aside.

I particularly thank Senator DOMENICI for putting together a well-crafted budget that achieves the important principles of protecting Social Security, paying down the debt, and staying within the budget caps.

I have a very specific interest in the lockbox legislation that is being proposed, because over the last 6 years as I served in the House of Representatives, I advocated a lockbox concept which was, at that time, focused on taking the spending we save through budget battles and locking it away for paying down the national debt or reducing the deficit at that point in time, rather than allowing it to be spent on further Federal spending.

This lockbox legislation which I worked on in the House for the last 5 or 6 years passed the House four times, never to make it through the Senate or signed into law. So it is particularly pleasing to me to see the concept now being used as we move into a surplus environment in our budget process to allow us to lock away the Social Security surpluses and make sure that Congress does not continue the practices of the past in spending those surpluses on other Federal spending.

This amendment which is being discussed in this proposal recommends locking the Social Security surpluses by requiring that they are to be used to pay down the public debt, rather than allowing Congress to continue to spend those funds elsewhere. It is no different from what should happen under current practices when the entire Government runs a total surplus, but there is no mechanism to lock these funds away and prevent Congress from spending them.

Social Security surpluses help to pay for the rest of Government when it runs a deficit. Starting in 2001, it is expected that the Federal Government will run surpluses in the rest of the Government and will not rely on Social Security surpluses.

The amendment recommends establishing a declining limit on the level of debt held by the public. These limits would decline in 2-year intervals by the amount equal to the Social Security trust fund surpluses for those years, and those declining limits would dedicate Social Security surpluses to reducing the public debt, thereby not only reducing our debt but strengthening and stabilizing the Social Security trust funds at the same time.

The amendment also recommends establishing a 60-vote point of order

against any legislation which results in the public debt limits specified in the law being exceeded.

This amendment reaffirms the off-budget treatment of Social Security and prohibits the inclusion of Social Security funds in budget totals.

A point I think that needs to be made is this: Today, across America, you hear many, many people calling for us to strengthen and protect Social Security. There are lots of different ideas being discussed about how we should accomplish that, but this proposed amendment does what everyone else is talking about. It makes it absolutely clear that those Social Security trust fund dollars will be set aside, they will be locked up, so they can be used for nothing other than reducing the public debt or funding a Social Security reform piece of legislation.

I do not see how anyone who professes to support stabilizing and strengthening our Social Security system cannot support this amendment. It is time we put into effect a lockbox mechanism to assure that neither this Congress, nor future Congresses, can take the Social Security trust funds and use them for any purposes other than that for which they were intended.

I thank the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Does the Senator from Illinois want to respond to this amendment?

Mr. FITZGERALD. Mr. President, yes, I would like to speak to Senator ABRAHAM's amendment.

Mr. LAUTENBERG. I will be happy, Mr. President, to yield to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. FITZGERALD. I thank the Chair.

Mr. President, I rise to speak in favor of Senator ABRAHAM's amendment to ban our Government from continuing to plunder the Social Security trust funds. For many years, our Government has taken all of the money that goes into the Social Security trust funds, taken every cent and spent it on other programs. The fact of the matter is, there is now no money in the Social Security trust fund. There is just a pile of IOUs, and those IOUs do our country no good when we hit 2013 and Social Security taxes are insufficient to pay current benefits.

Come 2013, no matter what the balance of IOUs is in the Social Security trust fund, we are either going to have to cut benefits or raise taxes or dramatically increase our Government's borrowings in order to pay Social Security benefits. I applaud Senator DOMENICI, Senator ABRAHAM, and those who are working to ban our Government from plundering the Social Security trust fund.

I want to show the Senate what the President's budget projections are for the next few years and to raise some questions about those projections.

The President claims the budget will be in surplus through the year 2004 and is suggesting in the current fiscal year we will have a $79.3 billion surplus; next year, $117 billion; rising to a surplus of $207 billion in 2004.

There is a problem with this. As some may have noticed, our national debt is continuing to grow despite these proposed budget surpluses. In fact, if you look at the appendix to President Clinton's budget, which he claims is going to be in surplus from now until 2004, if you look in the back, you will find that our national debt is going to continue to rise.

I ask the Members of this body, Does it make any sense for our national debt to continue to rise when we have surpluses? How can our national debt rise if we have surpluses? Well, the answer to that question is, we do not really have surpluses. They are borrowing all of this money from the Social Security trust fund.

If you look back in history, we have borrowed $1.67 trillion from Government trust funds. And to date, as of the end of the last fiscal year, our Government had borrowed $730 billion from the Social Security trust fund. All that money that people all across the country have been paying for years in Social Security taxes, they knew some of it was going out to pay current benefits, but they also thought some of it was being set aside in a trust fund.

It turns out they have plundered that trust fund. There is no money in it except a bunch of IOUs. And when we borrow from these trust funds, it gets added to our national debt. So right now, people in this country are being told that we are running surpluses, but what they are not being told is that we are continuing to borrow from Social Security and other trust funds and that we are digging our hole deeper. We are making the national debt worse.

These are the amounts the President proposes to continue borrowing from the Social Security trust fund in his budget which makes projections out through 2004. This year he proposes borrowing $121 billion from the Social Security trust fund and $67 billion from other trust funds. That is the source of the surplus they have. But when you take that out, if you had an honest accounting, if the Government were not allowed to use deceptive accounting practices, it would be forced to show that, in fact, there is an ongoing deficit.

In any case, I applaud Senator ABRAHAM. He is absolutely on the right track. We need to protect the Social Security trust fund. That Social Security trust fund lockbox idea that Senator DOMENICI has worked on with many others is worthy of our pursuit. This is the only plan out there that will protect 100 percent of the Social Security trust fund.

I come from a banking background. For many years I worked in banking in my home State of Illinois. There is nothing more abhorrent to me than the notion of a trust fund being managed by the Government that is being raided by the Government. In our law in the private sector, the highest burden is imposed upon those who manage trust funds. Anybody who plundered a trust fund in the private sector would be sent off to prison. Any private employer in the United States who reached into their employees' pension fund and took all that money out and spent it on other programs would, under Congress' own laws, go to jail.

It is high time that Congress stop itself from raiding the Nation's pension funds, from raiding Social Security, and instead try to save the money that is going in there; do not spend it on other programs; do not touch it but treat it like a real trust fund. And I am delighted that we have made this effort. I think it will be a great fundamental breakthrough.

I applaud Senator DOMENICI and look forward to working with the rest of the Members of the Senate to achieve this very important goal.

Mr. President, thank you very much.

The PRESIDING OFFICER (Mr. VOINOVICH). Who yields time?

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, we are going to offer an amendment, and we had worked out an understanding, one where we would have two Members on the Democrat side with an opportunity to speak. I expect to hear from Senator DURBIN after I am done.

Mr. DOMENICI. I ask the Senator, are you going to offer an amendment while this amendment is still pending?

Mr. LAUTENBERG. We will set this aside. I ask——

Mr. DOMENICI. I wonder if you could tell us, if we leave things like they are, there is about how much time left on this amendment?

The PRESIDING OFFICER. The Senator has 21 minutes 10 seconds. The Senator from New Jersey has 45 minutes.

Mr. LAUTENBERG. Forty-five minutes on——

Mr. DOMENICI. This amendment.

Mr. LAUTENBERG. We looked at the amendment. I have not worked out an understanding yet. Why don't we take a couple minutes to see what we have there so we can be responsive. Is the debate wrapped up on your side?

Mr. DOMENICI. One more Senator wants to make brief comments, but that will be brief.

Mr. LAUTENBERG. Is that Senator here now?

Mr. DOMENICI. I am willing to set it aside. I just wanted to see if we could understand how much time was still on it when we got back to it. But we can resolve that later.

Mr. LAUTENBERG. Mr. President, I assume this is working off a 2-hour or 1-hour——

The PRESIDING OFFICER. First-degree amendments are covered by 2 hours.

Mr. LAUTENBERG. Two hours. All right.

I ask unanimous consent that we lay aside the pending amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LAUTENBERG. Mr. President, I want to speak before I offer my amendment, so I ask my time be taken off the bill itself.

The PRESIDING OFFICER. The Senator has that right.

Mr. LAUTENBERG. I thank you, Mr. President.

I want to try to organize a point of view here that is substantially different than we have heard for the past while, and I say that with all due respect to my colleagues. And I mean that sincerely.

We have developed in the Budget Committee, I think, an operating mode that says that everybody, every member of that committee, is entitled to respect for their point of view, with adequate time to discuss it. I have served on that committee for many years, and I think it is perhaps the most amiable, the most cooperative operation of the Budget Committee that I have seen. I commend the chairman, Senator DOMENICI, for his effort.

We have struck an agreement, kind of informally, about it, but it has worked. And we disagree sharply on points of view. And sometimes, as Senator DOMENICI has said, our faces get red. But he was warned, he told me, that red faces do not win amendments or win points of view. So we kind of dropped the red-face approach, the swollen veins, that kind of thing.

But here I will venture a little bit into dangerous territory, because what we have heard so far is the accusation of double counting and talking about the structure, not the significance, not the meaning, not the value of the program, but whether or not this counts doubly when we credit Social Security or credit Medicare by giving them Government IOUs. The U.S. Government IOUs have the full faith and credit of the U.S. Government.

I do not know where it is better, because I have met lots of people who have made lots of money. I was in the business world for years before I came to the Senate. I ran a big company, and a lot of the people I know who got surpluses, significant surpluses, invested them in Government bonds because they wanted to know that a certain part of their portfolios are protected by the full faith and credit of the U.S. Government.

So even though interest rates are lower than you might normally get, that is the reserve, the kitty, as we call it sometimes, that they can always count on, no matter what happens with the stock market. So I do not know why it is such a sin to say to the Medicare trust fund or the Social Security trust fund, ''Hey, invest your money in Government IOUs,'' because they are protected—first line—by the full faith and credit of the U.S. Government.

To me, it makes sense, because to have the money lie there, funds lie there fallow, without gathering interest or return on the funds, depreciates the amount of spending that can be offered to beneficiaries in the later years.

I don't understand some of the scorn with which Government IOUs are treated. It doesn't make sense to me. I know and meet rich folks who keep much of their money in the U.S. Government IOUs.

In order to make the argument, there are some negatives applied with reference to those who made money paying the biggest taxes. If we have a tax reduction of 10 percent, why shouldn't the people who make all that money get a commensurate reduction, an equal reduction?

I want to confirm something because there is a question raised about whether a 10-percent tax cut is really there by direction of the Budget Committee. It certainly is not, because the Budget Committee doesn't have the right to do that; the Finance Committee does. And the chairman of the Finance Committee, the distinguished Senator from Delaware, Mr. ROTH, told Reuters that he was very much in favor of using the bigger-than-expected budget surplus to fund across-the-board income tax of 10 percent or more.

He goes on to say, ''I don't think it's too big [the 10 percent income tax cut]; if anything, I would like to see it bigger.''

That says something about someone of influence in the Republican Party and in this Senate. Again, he is a very distinguished Senator, long-serving Senator, and chairman of the Finance Committee. He is probably the most powerful Chair position that we have in the Senate.

He said it, 10 percent.

Now, back to where we were. Someone who earns an average of $800,000 a year, the top 1 percent of the income earners in the country, would get $20,000; and someone who earns $38,000 would get $99. The sarcastic or the sardonic tone that was used was if they made more, why shouldn't they get more? The difference is that when someone has earned $800,000, they don't need the $20,000 as much as the person who is making $38,000 or $39,000 needs some relief. Any family that has a $38,000-a-year income is not looking at luxury. They are not looking for a tax cut so they can buy a car or a boat.

I have heard it said that a rising tide lifts all boats. I know if you want to buy an expensive yacht, one that is over 100 feet long, the typical wait is 2 to 3 years. If someone has to wait 2 or 3 years to buy a yacht, I assure you that is quite a different position than someone who is making $700 or $800 a week supporting a family of four, trying to make sure that the kids can get an education, make sure there is a roof over their heads, and a decent homelife so they can enjoy some degree of the comforts of life. They can use the tax cuts.

Boy, I am for it 100 percent—targeted tax cuts to people who work hard and who need the money. I approve of the tax cuts that would support long-term care. I approve of the tax cuts that would support child care for modest-income people. Those are the kinds of tax cuts that distinguish this side of the aisle, the Democrats, from those on that side of the aisle.

I heard someone say something that struck me as being rather amusing—that the Democrats are the ones with the personal money. Some have it and some don't. That is true on both sides of the aisle. I am trying to think it through, but those I know who have worked hard to make their fortune earn respect for having done that, whether they are Republicans or Democrats. Some Members who didn't work hard but have money anyway are also decent people. It doesn't matter how much money you have; it is how much you have in your heart.

I come from a poor family, a family that hardly ever had a dinner together because we were always working in the store; one of us would be standing while the others were sitting and eating.

I have an understanding of what poverty or small incomes mean. I always thought that a good idea for incoming Senators and Congresspeople would be to spend a month or two in poverty, live in the kind of circumstances that we see in our cities and our rural communities. Live where you don't know what kind of food you will be able to give your children. Live where you don't know whether you will be dispossessed because you haven't paid the rent, and live where the best fun a child can have is to play ball in the street. We need a sprinkling of that in this place to bring an element of reality about what life is about and not talk about tax cuts for the rich in the same terms that we discuss tax cuts for hard-working people who need a little help with long-term care for a sick relative or an elderly parent. It is quite a different thing when we discuss things from that point of view.

The thing that matters most to modest-income people who have worked hard all their lives is to save Social Security. Turn the promise into reality, the promise that was made in 1935 when Social Security was conceived, the program that was conceived that said to people, work as hard as you can. Whether you work for a company and you lose your job along the way or you don't lose your job, Social Security is there for you. Full faith and credit of the U.S. Government will pay for it.

One of the worst afflictions we have in our society today, one of the worries we have, is that people are afraid they will lose their health insurance. It was said by one of my colleagues before, over 40 million people in this country are without health insurance. It is a devastating thought—the prospect of someone getting sick and not being

able to maintain their health care coverage, watching not only their health go down the drain but their finances as well.

We have an obligation, I think, to make sure that every one of our citizens in this country has a chance at some kind of minimum health care, so they don't have to worry about going bankrupt if they run into an illness along the way.

AMENDMENT NO. 144

(Purpose: To ensure that Congress saves Social Security and strengthens Medicare before using projected budget surpluses for new spending or tax breaks)

Mr. LAUTENBERG. Mr. President, I send an amendment to the desk, and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Jersey [Mr. LAUTENBERG] proposes an amendment numbered 144.

Mr. LAUTENBERG. I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place, add the following new section:

SEC. ___. SAVING SOCIAL SECURITY AND MEDICARE FIRST.

(a) IN GENERAL.—It shall not be in order in the Senate to consider—

(1) any bill, resolution, motion, amendment, or conference report that would reduce revenues without offsetting them in accordance with the Congressional Budget Act of 1974 until Congress first enacts legislation that—

(A) ensures the long-term fiscal solvency of the Social Security Trust Funds and extends the solvency of the Medicare Hospital Insurance Trust Fund by at least 12 years; and

(B) includes a certification that the legislation complies with subparagraph (A); or

(2) any bill, resolution, motion, amendment, or conference report that would increase spending above the levels provided in this resolution, unless such spending increases are offset in accordance with the Congressional Budget Act of 1974 until Congress first enacts legislation that—

(A) ensures the long-term fiscal solvency of the Social Security Trust Funds and extends the solvency of the Medicare Hospital Insurance Trust Fund by at least 12 years; and

(B) includes a certification that the legislation complies with subparagraph (A).

(b) SUPERMAJORITY WAIVER.—

(1) WAIVER.—The point of order in subsection (a) may be waived or suspended only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEALS.—An affirmative vote of three-fifths of the Members, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

Mr. LAUTENBERG. Mr. President, this amendment stands for the proposition that before we spend a penny of any surplus we ought to work hard to save Social Security and Medicare. That is what our primary obligation ought to be.

This amendment would make it out of order to consider any new spending or revenue reductions before we have enacted legislation to ensure the long-term solvency of Social Security, and to extend the solvency of the Medicare hospital insurance trust fund by at least 12 years.

It has been said by our friends on the other side that we don't add a penny. Well, it is not so. We can disagree. I wouldn't call my friends on the other side dishonest if they disagree with me. I don't like it when we are called dishonest or deceptive or that the President of the United States is lying when he lays down a budget.

You can argue this thing from all sides of the discussion. Some think that OMB has a more reliable forecasting ability; some think CBO. We are obliged to respond to our needs by using CBO as a reference. The fact of the matter is, if there is a difference, it is not because someone is trying to cheat here or someone is being dishonest; it is a difference of view. Let the public hear it. Let the public listen to this debate.

As I look at things now, times are good today, but we still face tremendous long-term challenges. This is the time to deal with those challenges. We don't know how much of projected surpluses we will need. The Social Security trust fund is projected to become insolvent in 2032, and I don't hear many arguments about that.

At that point, revenues will only be sufficient to fund about three-quarters of the benefits that were initially promised. Mr. President, 2032 is not a long time in the scheme of things. It is long when you have as much white hair as I have, or as much as the chairman has, but it is only three decades away. Relatively small changes today can have a significant impact in the long run. If we wait too long, the changes necessary to establish long-term solvency may be too wrenching and too difficult to accomplish.

Meanwhile, Mr. President, Medicare's problems are even more urgent. The program's trust fund faces insolvency in 2008. That is not a long time away. We can't afford to wait much longer before we act to extend its life and to make those changes that would prolong the life of Medicare beyond even 2020, which we are trying to establish here.

This amendment simply asks the Senate to set its priorities straight. It says our first priority should be to save Social Security and Medicare. It says before we squander surpluses on new initiatives, on major tax cuts, let's do first things first and prepare for the future, because the retirement of millions of baby boomers and other younger Americans depends upon it. Once we have protected Social Security and Medicare, we can consider using any remaining surpluses for other purposes.

Mr. President, I want to be clear that this is not an anti-tax-cut amendment. Like the President, I strongly support targeted tax relief for middle-class families. I hope we are going to approve the child care and long-term tax credits that the President proposed, along with further tax cuts to promote savings. Nothing in this amendment would block those or any other tax cuts. The amendment simply says that before we use any of the surpluses—and I have to take one moment to remind everybody about where we were and where we are. In 1992, when President Clinton won the election, we were $290 billion in annual debt. Despite the optimistic forecasts of some, nobody really who thought a lot about the budget a year or two ago would have thought they would be looking at a potential budget surplus of over $100 billion in this year—$100 billion.

So I want to give credit where it is due. I don't always agree with the President. I don't agree, necessarily, with some of the budget proposals that his budget laid out before us. We voted against it in the Budget Committee. But the fact of the matter is, yes, with the work of people like Senator DOMENICI and others on the Republican side, as well as those of us on the Democratic side, we worked together in 1997, as I think we had never done before—at least in my memory here—to get a balanced budget in front of us, to get our fiscal house in order. It was a tremendous accomplishment. It is reflected in the confidence that people have in our stock markets and in investments in the country.

Mr. President, we can pass all kinds of tax cuts, but we must remember that all of these things come in priority order. This amendment, again, says before we use our surpluses, we should save Social Security and Medicare. So Congress can still pass as many tax cuts as it wants, even before we address those long-term problems—we would just have to pay for them—just so we don't use up projected surpluses. That should help give us the incentives we need to get the job done.

I also point out, Mr. President, that this amendment applies not just to tax cuts but also to new spending. We should not go on any big spending binges, even for worthy causes, until we know we have saved Social Security and Medicare. That is done in a prospective manner. It is a point in time when we can say with a degree of confidence that this is going to take care of the elongation of the life of Medicare; this is going to take care of the solvency of the Social Security program until 2075. That is what we want to do. We want to know that those things are accomplished, and it doesn't matter whether the spending on top of that is pursued through direct appropriations or through the Tax Code.

So, Mr. President, this amendment says let's keep our focus on the future, let's keep our priorities straight, let's save Social Security and Medicare first—that we do that before we pass either new spending or tax cuts that use projected budget surpluses. I hope we can assemble a point of view that constitutes agreement in that direction, and that we will join together and

get enough votes from our friends on the other side of the aisle. I hope we can do it.

Mr. DORGAN. I wonder if the Senator will yield.

Mr. LAUTENBERG. Yes, I am delighted to yield.

Mr. DORGAN. I found the presentation interesting. I ask the Senator from New Jersey, is it not the case that both of the proposals, the one from the majority side and the one from the minority side, coming from the Budget Committee, save all of the Social Security surplus, but the major difference is that the proposal offered by the Senator from New Jersey also proposes to move some resources to help deal with the Medicare issue?

Mr. LAUTENBERG. That is right.

Mr. DORGAN. As I ask that question, I intend to come to the floor following the Senator from Illinois and make a presentation on this issue of saving Social Security. I can recall a few years ago when dozens of people on the floor stood up and said that proposition is nothing but a gimmick. In fact, the proposal was to put in the Constitution a requirement that the Social Security revenues be considered part of ordinary revenues for the purpose of determining whether or not you have a budget surplus. I will come to the floor to talk about that.

I just say I am delighted that everybody apparently has now come to the same position on this question of whether we ought to save the Social Security surpluses for the purpose which they were intended in the first instance. But those of us who insisted that be done, against the wishes of those who wanted to put that practice in the Constitution about 3 or 4 years ago, were told our position was gimmickry.

It not only was not gimmickry, it was transcendental truth about what we ought to do with these resources. The Senator has it right, as does now the Senator from New Mexico: Let us save the Social Security surplus, but let us at the same time allow room, as the Senator from New Jersey does, to invest and strengthen Medicare at the same time. That is, I think, the purpose of the alternative offered by the Senator from New Jersey, which I think should commend it here to the Senate.

Mr. LAUTENBERG. I thank my friend from North Dakota.

With that, Mr. President, I yield the floor. There is an understanding—just to confirm it—that the next speaker will also be from this side of the aisle. I assume the Senator from Illinois would have our amendment laid aside. Is that the idea?

Mr. DURBIN. Mr. President, I ask unanimous consent that the amendment be laid aside and I be allowed to address the bill.

Mr. DOMENICI. I didn't hear the request.

Mr. DURBIN. I asked that the amendment be laid aside for the purpose of a statement in support of the bill.

Mr. DOMENICI. Of course.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I thank the ranking Democrat on the committee, Senator LAUTENBERG from New Jersey, for his leadership. I also thank Senator DOMENICI for his leadership. We have disagreed, and in the course of my speech you will hear our areas of disagreement. My respect for him has not been diminished by those disagreements, and I continue to believe he is making a good-faith effort, as we all are, to come up with a responsible way to deal with our Federal budget in this challenging year. Oh, what a different challenge it is.

It was only 2 years ago on the floor of the Senate, we must recall, that we initiated the session by Senator ORRIN HATCH, chairman of the Judiciary Committee, coming to the floor and stacking up over the top of his head all of the deficit-ridden budgets of the last 30 years. He pointed scornfully at these budgets and said, ''This Congress cannot contain itself and control its spending, and only with a constitutional amendment, the balanced budget amendment, giving to Federal judges and the courts the authority to stop Congress from spending, can we ever hope to reach the day where we will put deficits behind us and live in that wonderful land of milk and honey called surplus.''

Well, here we are 24 months later with no constitutional amendment, no balanced budget amendment, no new authority in the Federal courts to restrain congressional spending, and we are debating a surplus. Now, I will concede, as my colleague from Illinois mentioned earlier, that the surplus in the initial years we are discussing is a surplus in trust funds, particularly the Social Security trust fund.

What that means, of course, is that employers and employees across America are paying more into the Social Security program than is needed to pay out to the beneficiaries. The excess is being saved for the eventuality that people like myself—the baby boomer generation—will live long enough to go to the Social Security window and pick up a check. We want to make sure there is some money there not only for ourselves but for others. The question is, What to do with the remainder of the surplus? If we are going to dedicate 62 percent of any surplus in the future to the Social Security trust fund, what will we do with the rest?

That is what this budget resolution debate is all about, because it comes down to some very basic choices. As a family's budget is a series of choices, so the Nation's budget is a series of choices. The choices that have been made by the Republican majority in presenting their budget resolution are different than those of us on the Democratic side. We believe, as they do, that at least 62 percent of all of the surpluses in the near future should be dedicated to making sure that Social Security is solvent. Not good enough that the program will be solvent until the year 2032. We want to have an extended life beyond that.

Then we get into our areas of controversy—a significant controversy for American families—because we believe on the Democratic side that 15 percent of any surpluses should then be dedicated to reducing the debt in Medicare, the health insurance program for the aged and disabled, a program that is literally a lifeline—for 40 million Americans will go broke in the year 2008 if Congress does not act. The Democrats believe that we need to commit ourselves to Medicare solvency and, therefore, we seek in our budget resolution to dedicate 15 percent of future surpluses to Medicare.

On the other side of the ledger is a stark contrast, because the Republican budget resolution does not dedicate one penny—not one penny—to Medicare. Instead, they want the money to go toward tax cuts. There can't be two more appealing words in the English language for a politician to utter than ''tax cuts.'' To think that you could stand before an audience and say to them, ''We are going to let you keep more of your money, the Government won't take it,'' is appealing.

I suppose we on the Democratic side could join in that chorus, but we don't believe that is a responsible course of action. We believe that we have an obligation to Medicare to make certain that its future is strong and is right. Before we suggest a tax cut of any magnitude to any person in America, first we must meet our responsibilities. The good part of meeting our responsibility is that we not only guarantee the future solvency of Medicare but at the same time we pay down the national debt.

Arranged before me here on the Senate floor are Senate pages, young people from high school who come here and work in the Senate, and do a great job. I am glad they are here. I am sure they are hoping that some of the laws that we will pass will make America a better place for them to live. This is a law which I think addresses the concern that they may not have today but they might in the future.

If we have our way, in the Democrat budget resolution, we will start reducing the national debt that we have to pay interest on every year. How much is the interest payment this year on the national debt? It is about $1 billion a day, $355 billion that we are paying with Federal tax dollars each year to service the national debt that has been accumulated over the history of the United States.

We believe on the Democratic side that we should set on a course of action dedicating money to Social Security and Medicare at the same time bringing down that national debt, so that we can see in the lifetime of the young people who serve as pages here a

dramatic decline in the annual interest cost to the Federal Government. What it means for their generation is more money available, either for tax cuts or for programs they think are important for the future of this country. But we hope to give them that choice.

On the other side of the aisle, the Republican budget resolution says: ''No. Let's not save the money. Let's not put the money in Medicare. Let's give it away as tax cuts.''

In fairness to the chairman of the Budget Committee, he has not specified what kind of tax cut package he has in mind. Some Members of his party have already expressed themselves. For example, the House Budget Committee chairman, Mr. KASICH of Ohio, has suggested a 10-percent across-the-board tax cut. I want the American people to understand what that tax cut means to them as opposed to the Democratic budget which seeks to bring down the national debt and to make sure that Medicare is well funded.

The Kasich tax cut, the 10-percent tax cut, would mean for 60 percent of American working families an average of $8.25 a month in tax cuts. That is a lot of money to put away and to save up for a vacation. In all honesty, it is not enough money to pay for the cable TV bill. But there are those who believe—as I mentioned, Mr. KASICH, proposals on the Republican side—that is preferable, to give that sort of tax cut as opposed to putting the money into Medicare, as opposed to paying down the national debt. I think they are wrong.

I think, if you look at the alternatives, it is very graphically demonstrated that in this budget that we are presently considering—the Republican budget—there will be some $831 billion in tax breaks, and nothing for Medicare; not a penny for Medicare. That, I think, is a serious mistake. It is a serious mistake, because, frankly, for 40 million Americans it results in some very, very grave decisions. Some people say, ''Well, Medicare is just a program for the elderly.'' I know better. I think most families do. It is not just for the elderly. It is for the children and grandchildren of the elderly to have the peace of mind that their parents and grandparents are going to have good, quality, affordable medical care. It meant a lot to my family, and I think it means a lot to families across America.

If we don't take the money that the Democrats propose in their budget resolution and put it into Medicare, I would suggest to you that the alternatives for that program are grim—cutting benefits for seniors, asking seniors and disabled Americans who are often on fixed incomes to shoulder substantially higher costs, significantly reducing payments to providers, well below the cost of providing quality medical care, or increasing payroll taxes. I don't want to be a party to that. I think that is one of the most onerous taxes in America. If we don't face our obligation to make sure Medicare is sound, it could lead to increases in payroll taxes.

There was a question raised by some as to whether or not the Democratic budget resolution will, in fact, do any good for Medicare. I have in my hand here a letter that was sent to Members of Congress that is offered by the Department of Health and Human Services, Health Care Financing Administration, which says quite clearly, yes, the Democratic budget resolution is good for Medicare. It will make sure that Medicare remains solvent up to 10 years beyond the date that we currently see solvency ending.

And, of course, if we face Medicare without these additional funds, take a look at what it does. In the area of provider cuts, to extend Medicare to 2020 without new investment, as the Democrats propose, and without benefit cuts of payroll tax increases, we would have to cut payments to providers by 18 percent or more. That is a cut in the Nation of $349 billion, and over 10 years in Illinois alone $14.3 billion.

I contacted the Illinois hospital administrators a few years ago when we were in the midst of the same debate, and said to the Illinois hospital administrators, if we have this kind of cut in Medicare payments, what will happen? For many of the hospitals dependent on Medicare—these are hospitals in rural areas, hospitals in the inner city—they would face closure. It is just that serious. The Illinois Hospital Health System Association tells me that even before the last round of cuts, 25 percent of Illinois hospitals were taking a loss on their in-patient Medicare costs.

If we don't act responsibly and adopt President Clinton's approach and the Democratic budget approach, if we don't put money in Medicare, hospitals all across America—in New Jersey, in New Mexico, in Maine, in States across America—are going to face the same kind of pressure.

Second, there are those who suggest let's put the burden of the cost of Medicare reform on the backs of the seniors and disabled. That might extend the solvency of Medicare, but at a very high cost. To date, on average, seniors pay 19 percent of their income to purchase the health care that they need. And Medicare is currently only paying half of their bills. Many seniors live on fixed incomes. The median total annual income of Americans over the age of 65 is a mere $16,000. And that is hardly a huge sum of money for people to survive. For seniors over 85 it plummets to $11,251. For the oldest and frailest in America, such as those using home health services, the average income is less than $9,000.

Can someone with this level of income really afford to pay more for Medicare so we can give tax cuts to some of the wealthiest people in this country? I think that is really not fair. I think most Americans would react the same: $8.25 in tax cuts for 60 percent of America's working families, is that really a valid tradeoff if we are going to impose greater burdens on seniors under the Medicare program?

Medicare reform may involve tough choices but it should not involve mean choices. Reform and investment are needed to strengthen Medicare. There are those who say if you just put the money in Medicare as the Democrats propose, they are just never going to reform the system. But the reality is, the Medicare program has grown. The number of beneficiaries has doubled since the program was created, and Americans are living longer. I think there is a fair argument to be made that one of the reasons Americans are living longer is because they now have access to quality health care after retirement.

There was a day, and I can remember as a child, when grandparents moved into the homes of your parents. It was expected. Then we tried to scrape up enough money to make sure medical bills were paid, and often they were not. Those days are behind us because of Social Security and Medicare. Before Medicare, less than 50 percent of retirees had health insurance. Now virtually every elderly American has health insurance.

So here is the priority question for us. How much do we value increased life expectancy? How much do we value the independence of seniors who can live confident that they will receive quality health care under Medicare? Are the people of my generation, who are working and contributing to the surplus, hopefully soon, willing to defer gratification of a tax cut of small magnitude to invest in a retirement insurance program for 40 million Americans? I think they are. The choice, of course, is whether or not we forgo the Republican tax cut and put the money into Medicare and reducing the national debt.

I would like to take that question to the American people by way of referendum. I think I know what the answer is. It is not just a Democratic idea. It was Alan Greenspan who came to Congress and said: Suppress the urge to cut taxes or to increase spending. You should, instead, reduce the national debt, the debt that is taking so much money in interest service payments each year. It is sound economics and it is sound for this country.

We need the strength to address the needs of the Medicare program. Changes will have to be made. But none of the programs being considered presently by the bipartisan Medicare Commission really save much money in the short term. Some of the proposals, such as raising the age of retirement, ask beneficiaries to pay a lot more. They even eliminate graduate medical education, so important to medical schools across America. We need to make sure there is an infusion of money into Medicare now to keep it strong. It is very unwise to enact large

tax cuts, to commit to those tax cuts before we secure both Medicare and Social Security.

Let me say a word about one Medicare reform, too, that I have addressed in the past. I, for one, am opposed to the concept of raising the eligibility age for Medicare. Some have suggested we raise it to the age of 67 as a way of reforming Medicare. The reason for my opposition is personal and it is strong. I had a brother who retired from a well-paid job, working for a major company. He retired early. They promised him a pension and health care benefits. He ran into some problems with his health. He was required to have some major surgery and after his retirement with his company his plan canceled his health care benefits. It was before he reached the age of 65. He literally, then, had everything at risk in terms of his family's life savings and his plans for retirement because he had no health insurance protection and had to wait until he reached the age of 65 to qualify for Medicare.

There are too many Americans falling into this trap. I do not want to see us extend it. Instead, I think we need to have reforms in Medicare that are sensible and we need to have a budget that is dedicated to making certain that the surplus that we have now and in the near future is really focused on reducing the national debt and focused, first and foremost, on strengthening Social Security and Medicare.

Ask the American people: Would you give up the tax cut proposed on the Republican side of the aisle to guarantee that Medicare is going to be solvent for 10 more years? That we will not have to close hospitals? That we will not have to increase payroll taxes for Medicare? That we will not have to slash benefits? I think the answer will come back resoundingly: Stick with the programs that are so critical to millions of Americans. Make certain the Democratic approach in the budget resolution is the one that finally succeeds.

We can put off this tax cut debate to a later time, and let's hope our economy continues to grow so we can consider it. But before we do it, the tax cuts, if any, should be targeted to those who really need them, and we should make sure that Social Security and Medicare are still our highest priority.

I yield the floor.

The PRESIDING OFFICER (Mr. GREGG). The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I yield myself 1 minute. I just want to say to Senator DURBIN, I did not know my colleague before he came to the Senate. Obviously, we do not agree on a lot of things. But I compliment him on his participation. He had, I think, many things going on, but he is a valued member of the committee and I think he lent some of that atmosphere, that we were all working very hard to get our job done. It was about as good a 3 days as I have spent on committee work, and I thank the Senator for his share in that.

Mr. President, this consent agreement has been cleared on the minority side and on our side.

I ask unanimous consent that at 3 this afternoon, the Senate proceed to a vote on or in relation to the Abraham amendment No. 143, to be followed by a vote on or in relation to the Lautenberg amendment No. 144, with the time between now and then equally divided in the usual form. Finally, I ask that no second-degree amendments be in order to the amendments.

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

Mr. DOMENICI. I thank the Chair.

Would the Senator like to use part of this 22 minutes? The Senator is free to speak on whatever he likes.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, we have a magnificent contrast in approaches to the budget here this year, as we often have in the past.

The budget resolution that the Senator from New Mexico has presented to us is, in fact, a true balanced budget. The budget resolution presented to us by the President of the United States, in fact, spends more than 20 percent of the Social Security surpluses over the next 5 years on programs that are totally unrelated to Social Security.

The President has promised that all of the Social Security surpluses will go into the Social Security system. In fact, his budget does not keep that promise. The proposal before us from the Budget Committee and from the Senator from New Mexico does keep that promise and calls for the creation of a lockbox that prevents the spending of Social Security money for other purposes and for other programs.

Secondly, we do face a crisis in Medicare. The Medicare Part A hospital insurance trust fund will, in fact, go bankrupt in the year 2008, postponed by actions taken by the Congress just a year ago.

We have had as our creation a bipartisan Medicare Commission work on long-term solutions for Medicare over the course of the last year. A majority of the members of that Commission, but not a sufficient number, have voted for true reform in Medicare. That true reform has been blocked by the President who instead proposes simply a paper transfer, which will literally paper over the serious problems that Medicare faces until they are far more serious than they are today and provide a burden for our children and grandchildren that in all probability cannot be met.

The current issue of Newsweek puts this dilemma in graphic terms, stating:

> Can the faltering Medicare system be saved? Probably not this year. The reason is politics. Democrats privately admit they do not want a Medicare deal because it would deprive them of a powerful campaign issue. What many Democrats want is a good issue, not good policy, and good policy is what is needed.

Good policy will be available. The politics are reflected in the amendment on which we will vote shortly from the Senator from Illinois that simply papers over the problem itself.

Third, tax relief. This budget resolution, sponsored by the senior Senator from New Mexico, calls for real tax relief for the American people to be taken out of the non-Social Security surplus over the course of the next decade. It gives that offer because it presumes the logical conclusion that if we have a surplus over and above a Social Security surplus, it means that the people of the United States have been overtaxed and that that money should stay in their pockets to be used in the way in which they wish.

The President's proposal, which actually increases taxes over the next decade by almost $100 billion, feels that the worst thing we can possibly do is allow Americans to spend more of their own money. Amendment after amendment, which we will be facing today and tomorrow and Friday, attempt not only to prevent tax relief from taking place this year, but prevent tax relief from taking place for 10 years, for 12 years and, in the case of one amendment we expect, for 75 years. The worst thing that could possibly happen, according to many on the other side, would be to provide tax relief for the American people out of a genuine non-Social Security surplus.

How do they do that? Partly by amendments such as the Durbin amendment, but primarily through the 70 or more new spending programs that the President has included in his budget, new spending programs that will spend money not only from the non-Social Security surplus but to the tune of more than $100 billion out of the Social Security surplus itself.

Mr. President, that is the improper way in which to go. We should deal with the Medicare crisis in a straightforward Medicare reform—a difficult debate but a solution that is actually possible, as indicated by one of the leading Members of the Democratic Party in this body, Senator BREAUX, in his chairmanship of that Medicare Reform Commission—through real Social Security reform. We must put the entire Social Security surplus aside in a lockbox so that it cannot be spent on all of the new and increased programs advocated by the President's budget. As a consequence, the Abraham amendment is a vitally important amendment and a key to the debate on this budget resolution.

To summarize, the budget resolution before us proposed by the Budget Committee, under the leadership of my friend, the senior Senator from New Mexico, the chairman, truly protects Social Security, truly balances the budget of the United States, and pays down the debt, truly anticipates Medicare reform that is substantive and not inform only, truly limits spending on other programs and truly returns the surpluses that are appropriately returned to the people of the United

States to the taxpayers who now are overtaxed in a good economy to pay for them.

Mr. President, the Abraham amendment should be supported, the Durbin amendment should be rejected, and we should go forth and adopt this budget resolution, generally speaking, in the form in which it finds itself at the present time. It is only the first step. Many difficult steps remain. But if we do so, if, in fact, we limit our insatiable appetite for spending, I believe we can promise the American people a strong and growing economy for a considerable period of time in the future.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I have conferred with the distinguished Senator from New Jersey, Mr. LAUTENBERG, the ranking member of this committee, and we concur that I should seek unanimous consent of the Senate, and I so do, that the time that we use for the vote be counted against the basic budget resolution time.

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

Mr. DOMENICI. I thank the occupant of the Chair for the excellent suggestion, which is where I got the idea.

Mr. President, we had two people speak under the 22 minutes. Maybe the Senator from New Jersey would like to speak or someone else.

Mr. LAUTENBERG. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DOMENICI. 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. DOMENICI. Mr. President, how much time do we have remaining on our side?

The PRESIDING OFFICER. The Senator from New Mexico has 9½ minutes, and the Senator from New Jersey has 18 minutes.

AMENDMENT NO. 144

Mr. DOMENICI. I am going to proceed for 3 or 4 minutes on my time awaiting the arrival of Senators with whom Senator LAUTENBERG is in touch.

First of all, everybody should know this amendment, offered by the distinguished Senator from New Jersey, is not germane to the budget resolution. So at an appropriate time, when all the time has been yielded back, I will raise a point of order, at which time I assume the Senator from New Jersey will seek to waive that.

I will suggest some things now about why our budget is right and why this amendment, even though it is not germane, is not the right thing to do. I want to start by quoting a Democratic Senator who spent a great deal of time and effort trying to reform the Medicare program. The amendment of the distinguished Senator from New Jersey says, ''I like the spending part of Senator DOMENICI's budget,'' although I am sure he would not like to see it in effect for awhile. He said, ''Leave that alone.'' If he had not done that, we would have said you can spend all the surplus. Obviously, he did that.

Then the Senator said, ''You can't return any of this surplus tax money to the American taxpayer unless and until you have a reform for both Social Security and Medicare.'' Here is what one of the Democratic Senators, Senator BREAUX from Louisiana, said:

> Medicare must not be used as a wedge issue any longer. The question before this Congress is not whether to cut taxes or whether to save Medicare. That is not the choice we are facing. I support a tax cut [although he says targeted] and I am dedicated to saving Medicare. It is not an either/or proposition.

I am glad that is not the Senator from New Mexico making that statement, although I could make it. There is no question in my mind that is correct. As a matter of fact, it seems to this Senator that if all we had before us was the President's proposal on Medicare, which gradually, bit by bit—most of the proposals of the President's budget are going to be refused in the Senate. We are going to adopt the Abraham amendment. That says to the President: ''You were not right in saying you were saving Social Security trust funds; you were saving only a part of it and you were spending a part of it.'' This first vote is going to say you cannot spend any of it and proposes how a lockbox might be structured if and when we can get the legislation up to vote on that.

Now we are talking about Medicare and, obviously, before we are finished here, no one is going to be for the President's Medicare proposals—or few are—because actually it does not do anything. It purports to do something, but it does nothing. It does not spend a penny on prescription drugs. As a matter of fact, it does not spend a penny of new money to fix Medicare at all.

The budget before us spends $190 billion to $200 billion more than the President and fully funds Medicare. It does not cut $20 billion out of Medicare, which the President cut out.

Then it says: ''Let's get on with reform and fix it; let's stop talking about things in the air; let's put it on paper and let's start voting.''

We say there is another $100 billion left over, not from Social Security, not for returning money to the taxpayers, another 100 that we say can be used, if needed, for Medicare.

That is going to solve Medicare well beyond the 12 years that the distinguished Senator from New Jersey seeks. He seeks a 12-year extension of the program. That program, which is described in our budget, can solve it for much longer than 12 years.

The problem is, we do not want to give the American taxpayers a break unless and until we have the reform accomplished, and we do not even have a proposal from the President of the United States. It is grossly unfair, in my opinion.

Clearly, the time has come to reward the taxpayers who have been working hard to keep this economy going, putting in more and more of their tax dollars. They ought to get some of it back. We ought to be for keeping the economy expanding and growing, producing jobs and vitality.

If you look around the world, West Germany is in trouble, and that means most of Europe is going to be in trouble, not just Asia, and we are going to be the bastion of growth and prosperity. We better be ready with some tax cuts for American business and for the American taxpayer if we want another 6 or 7 years of prolonged, sustained recovery. That is the kind of thing we ought to be doing, and it is done by this budget, leaving the Congress to decide what kind of tax reductions they want in the future.

This budget does not prescribe that. Certain Republicans have ideas, and certain Democrats have ideas. This Senator, my good friend from Louisiana, has ideas. His would be for targeted tax cuts. I do not know what the occupant of the Chair would be for, but he would have some.

Only one set of ideas is going to be passed. It is going to be passed ultimately by committees after debate and committee hearings and the like. The question is not whether some of us are for an across-the-board tax cut like John Kennedy was for; the question is, Are we going to provide anything for tax cuts? The Lautenberg amendment says no. I believe we should not adopt it, and we should get on with the budget format and plan contained in the budget before us.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. KENNEDY. Will the Senator yield 6 minutes?

Mr. LAUTENBERG. If the Senator will just give me about 2 minutes to respond to Senator DOMENICI.

I just say that though the quote from Senator BREAUX is that it is not an either/or proposition, the fact is that the Republican priority—and I will do the unheard of; I will hold up my own sign—that the Republican priority for the surplus has made it either/or. We have tax breaks for the 10-year period, over $800 billion, $831 billion, and Medicare, zero. So if we want to discuss what we are going to do for Medicare, I guess there is some thought that you can help it by giving it nothing, because that is what is planned. So if we are going to use the quote here, then I think we have to use it in the context of reality.

With that, since the Senator from Massachusetts had asked for the floor, Mr. President, I yield—how much time?

Mr. KENNEDY. Six minutes.

Mr. LAUTENBERG. I yield 6 minutes to the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I have listened over the course of the presentations earlier this morning about how the Republican budget is going to try and solve the problems in Medicare and also with regard to prescription drugs, and how inadequate the President's program has been in terms of resolving Social Security and Medicare. I am glad to hear the interpretations of my good friends on the other side.

The fact of the matter is, the President's program, in allocating the resources for Social Security with 62 percent of the surplus, has been basically endorsed by eight Nobel laureates in economics and over 100 economic professors, along with Alan Greenspan. If you listen to our colleagues out here, you would think it was a nondescript program. But the fact is, it is a solid program. It is a sensible program and a responsible program.

The chairman of the Budget Committee talks about all the money that is going to be there in Social Security. He talks about how they are going to add $190 billion to Medicare. They have to have it. They are not adding any money. That is what the cost of the program is going to be in the outer years. They do not dare cut back on that program. That is necessary for the very existence of the program over that period of time.

So when they come out and say, ''We're adding all of this money and protecting the Medicare program,'' that is poppycock; otherwise, they would have to justify further cuts in the program. These are the best estimates for a continuation of the program at the present rate. That is all.

They have this wonderful other program that they talk about that is going to be available. I just refer our colleagues to the Budget Committee report for the concurrent resolution on the budget, and look on page 4, at about the middle of the page, about ''Additional On-Budget Surpluses.'' They talk about:

> It is estimated, at this time, that nearly $133 billion in on-budget surpluses could result if the resolution were . . . implemented.

That has been revised to $100 billion. Now, listen—listen—to this fund that is going to be there. At one moment it is for prescription drugs and at another moment it is for Medicare and at another moment it is for the transition to Medicare reform and at another moment it is for national disasters. Look what they say:

> These additional funds, if estimates prove accurate, would further retire debt held by the public or could be made available to assist funding of any transition costs to implement reforms in the Medicare programs that would significantly extend the solvency of that program through a reserve fund mechanism adopted by the Committee. Alternatively, the on-budget surplus projected by the resolution could be needed for funding unexpected disasters and emergencies over this period.

It does not even refer to prescription drugs. It does not even mention it. You talk about double counting—you can come over to page 90, and you will see how they double count it over there. We will come back to that. You tie up that fund in terms of prescription drugs in such a way you will not even get an aspirin out of this particular proposal, Mr. President.

I just want to point out that they talk about the fund that they are going to have with the $100 billion surplus. It may be for emergencies. The Budget Committee knows you average $9- or $10 billion a year in that particular program. But if we look at the payout for the budget—and I just refer you to the budget, S. Con. Res. 20.

Look on page 5, look at line 18. For the year 2000, is there going to be anything in there for Medicare? No. It is $6 billion in debt. How about line 19, fiscal year 2001? Anything in there for Medicare transition? Anything in there for prescription drugs? Anything in there for emergencies? Zero. What about line 20, for the fiscal year 2002? Zero. What about for fiscal year 2003? Zero. What about for fiscal year 2004? There is $2,899,000,000. Isn't that something? This is their program for saving Medicare. This is their program, their own figures.

If I have ever heard something that makes absolutely no sense—how can any member of the majority in the Budget Committee stand up on this floor and say that they have anything worthwhile in here to protect Medicare?

I say to the Senator, it is $686 billion. Even if you use the whole $100 billion, it is $686 billion you are going to need over 15 years, so you do not have enough in here to even begin to save Medicare. All we are trying to get is honesty in budgeting.

Under the Democratic program, we take all 15 percent and set it aside. You can make these debatable points that, well, you can't really transfer the funds. Of course you can't. You have to change the law to be able to do it. But we understand what is being done out here, Mr. Chairman and Senators. We understand what is being done. We are allocating and indicating what our priorities are. And we are going to save Social Security on the one hand, and we are going to use that 15 percent for Medicare. And we are not going to use this $100 billion that does not provide a single cent for 5 years and can be used either for disasters or for any other program that has been outlined in the Budget Committee's report.

That is not saving Medicare. The amendment of the Senator from New Jersey, Senator LAUTENBERG, does the job. And the amendment of Senator CONRAD does the job. We will also have an opportunity to offer something that will do it.

So Mr. President, I think it is worthwhile going beyond the rhetoric and giving our Members a chance to look through both the report and the legislation to try and find out who really is interested in preserving Medicare. The votes that are going to be offered here later this afternoon, starting with Senator LAUTENBERG's, and Senator CONRAD's, will give us an opportunity to do that.

The principle set forth in the Lautenberg amendment goes to the heart of this budget debate: We should not liquidate the surplus by enacting tax cuts before we solve the significant financial problems facing Social Security and Medicare. I wholeheartedly agree. Placing Social Security and Medicare on a firm financial footing should be our highest budget priorities. The surplus gives us a unique opportunity to extend the long-term solvency of those two vital programs without hurting the vulnerable elderly who depend upon them. We should seize that opportunity. Two-thirds of our senior citizens depend upon Social Security retirement benefits for more than fifty percent of their annual income. Without it, half of the nation's elderly would fall below the poverty line. These same retirees living on fixed incomes rely upon Medicare for their only access to needed health care. For all of them, this budget does absolutely nothing. It does not provide one new dollar to support Social Security or to support Medicare. It squanders the historic opportunity which the surplus has given us.

On the subject of Social Security, the Republican budget is an exercise in deception. The rhetoric surrounding its introduction conveys the impression that the Republicans have taken a major step toward protecting Social Security. In truth, they have done nothing to strengthen Social Security. Their budget would not provide even one additional dollar to pay benefits to future retirees. Nor would it extend the life of the Trust Fund by one more day. It merely recommits to Social Security those dollars which already belong to the Trust Fund under current law. That is all their so-called ''lockbox'' does. By contrast, President Clinton's proposed budget would contribute $2.8 trillion new dollars of the surplus to Social Security over the next fifteen years. By doing so, his budget would extend the life of the Trust Fund by more than a generation to beyond 2050.

Not only does the Republican plan fail to provide new revenue to extend the life of the Social Security Trust Fund, it does not even effectively guarantee that the existing payroll tax revenues will be used to pay Social Security benefits. In essence, there is a trap door in the Republican ''lockbox''. Their plan would allow Social Security payroll taxes to be used to finance unspecified ''reforms''. This opens the door to risky schemes that would use the Social Security surplus to finance private retirement accounts at the expense of Social Security's guaranteed benefits. Such a privatization plan could actually make Social Security's financial picture far worse than it is today, necessitating deep benefit cuts. A genuine ''lockbox'' would prevent

any such diversion of funds, but not the Republican version. A genuine ''lockbox'' would guarantee that those dollars would be in the Trust Fund when needed to pay benefits to future recipients. The ''lockbox'' in this budget does not.

While the Republicans claim that they too support using the surplus for debt reduction, they are still unwilling to use it in a way that will help save Social Security for future generations. There is a fundamental difference between the parties on how the savings which will result from debt reduction should be used. The federal government will realize enormous savings from paying down the debt. As a result, billions of dollars that would have been required to pay interest on the national debt will become available each year for other purposes. President Clinton believes those debt service savings should be used to strengthen Social Security. So do I. But the Republicans refuse to commit those dollars to Social Security. Their budget does nothing to increase Social Security's ability to pay full benefits to future generations of retirees.

Currently, the federal government spends more than 11 cents of every budget dollar to pay the cost of interest on the national debt. By using the Social Security surplus to pay down the debt over the next fifteen years, we can reduce the debt service cost to just 2 cents of every budget dollar by 2014; and to zero by 2018. Such prudent fiscal management now will produce an enormous savings to the government in future years. Since it was payroll tax revenues which made the debt reduction possible, those savings should in turn be used to strengthen Social Security when it needs additional revenue to finance the baby boomers' retirement after 2030. Rather than paying interest to bond-holding investors today, our plan would use that money to finance Social Security benefits tomorrow.

This is analogous to the situation of a couple with young children and a mortgage. They know they will have a major expense fifteen years down the road when their children reach college age. They use their extra money now to pay down their home mortgage ahead of schedule. As a result, in fifteen years the mortgage will be greatly reduced or even paid off. Thus, the dollars that were going to pay the mortgage each month will become available to finance college for the children. In the same way, the federal government is reducing its debt over the next fifteen years, so that it can apply the savings to Social Security when the baby boomers retire.

That is what the President's budget proposes. It would provide an additional $2.8 trillion to Social Security, most of it debt service savings, between 2030 and 2055. As a result, the current level of Social Security benefits would be fully financed for all future recipients for more than half a century. It is an eminently reasonable plan. But Republican members of Congress oppose it.

During the budget debate, the Republicans will proclaim that this year, unlike last year, Social Security tax dollars are not being used to pay for their tax cut. This year they are not proposing to loot billions of dollars from the Social Security Trust Fund. Undeniably a step in the right direction. But hardly sufficient progress. They are still unwilling to use the surplus to save Social Security, still unwilling to use surplus dollars to extend the ability of the Social Security Trust Fund to pay full benefits to future generations.

Sadly, the Republican response to the financial problems facing Medicare is the same. The crisis facing Medicare is much more severe than the financial problems facing Social Security. Medicare will become insolvent in less than a decade unless we take decisive action to extend it. President Clinton's budget would do that. It would devote fifteen percent of the surplus, nearly $700 billion, over the next fifteen years to financially strengthening Medicare. As a result, it would have sufficient resources to fully fund current health care benefits to at least 2020. This would give us the time which is necessary to gradually reform the program in a way which will protect the elderly beneficiaries who depend upon it. However, the Republicans rejected this initiative to save Medicare. Their budget will not extend the life of the Medicare Trust Fund for one day. I will have a great deal more to say later in the debate about the harm that this budget will do to Medicare.

The budget Republicans have brought to the floor does not provide one new dollar to finance Social Security or Medicare benefits. What it does provide is nearly $800 billion new dollars for tax cuts over the next decade. Tax cuts, not strengthening Social Security and Medicare, is their first priority. Budgets speak louder than words. The Republican budget tells us much more candidly than their rhetoric where the GOP's real commitment lies.

The Republican budget would devote $778 billion to tax cuts during the next ten years—before fixing Social Security, and before funding Medicare for the next generation. Those who wrote this budget were not thinking about the two-thirds of our senior citizens who rely on Social Security retirement benefits for more than half their annual income. They clearly were not thinking of the elderly who depend on Medicare for their only access to health care. The pleas of the elderly have fallen on deaf ears.

When the Republicans wrote this budget, they had a very different group of people in mind. While the budget itself does not specify the precise form of tax cut, the Republican leadership has already called for a 10% across-the-board tax rate cut. Such a tax cut would disproportionately benefit the nation's highest-income taxpayers. The Treasury Department's analysis of this proposal shows that the top one percent of earners would receive 35% of the benefits. The top twenty percent of earners would receive 65% of the benefits. By contrast, approximately 45 million Americans would get no benefit at all.

While an across-the-board income tax cut may sound fair at first hearing, it would in fact be grossly inequitable. Under the Republican leadership's proposal, sixty percent of American taxpayers would share just nine percent of the total tax savings, an average of less than $100 per person per year. Clearly, the Republicans are not thinking about the needs of working families and their elderly parents.

This amendment offered by Senator LAUTENBERG would set us on a different, more responsible course. It would prevent using the surplus to fund tax cuts until we have solved the financial problems facing Social Security and Medicare. This approach would preserve the resources which are needed to guarantee the long-term solvency of these two historic programs without harming future beneficiaries. It is the right thing to do.

The PRESIDING OFFICER. The Senator's time has expired.

Who yields time?

Mr. BAUCUS addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. LAUTENBERG. Mr. President, I yield 8 minutes to the Senator from Montana.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I want to follow on the remarks of my good friend from Massachusetts, Senator KENNEDY, because I think he, with great articulation, hits the nail on the head. We are talking here not about gimmicks but what is the right way, the most solid way to put a budget together and to protect Social Security.

There is a right way; there is a wrong way. The Lautenberg amendment is the right way to preserve Social Security. The amendment of the Senator from Michigan is a good example of an idea that sounds good, but is the wrong way.

Mandated reductions in our Nation's debt limit are irresponsible. They are dangerous. They could hurt the very people that the proponents claim they want to help; namely, Social Security beneficiaries.

As a member of the Finance Committee, I understand very clearly the risks this amendment poses. Debt is incurred solely to pay expenditures that Congress has already authorized. The time to limit spending is when Congress is considering the underlying bills, whether they be appropriations bills or tax bills, not after the bills have already been enacted into law. By the time the debt limit is reached, the Government is already obligated to make payments and must have enough money to do so.

The debt obligations of the United States are recognized as having the least credit risk of any investment in the world. That credit standing is a precious asset for the American people and helps our economy by reducing the costs of borrowing.

Remember, the last time we came face to face with a debt limit crisis in November 1995, Moody's credit rating service placed Treasury securities on review for possible downgrade. They did this because it appeared possible for the first time in our Nation's history that the United States might be forced to default on our debt obligations. From the safest investment in the world, America overnight became comparable to that of countries which we do not hold in as high regard.

If the debt limit is reached and Congress cannot quickly obtain a supermajority to increase the limit, Treasury might easily be forced to stop honoring any payments. The largest single recurring monthly expenditure for the Treasury comes every month when Social Security checks are sent out.

The effect of this amendment, which is being touted as helping to preserve Social Security for the future, could easily be to force current beneficiaries to live without the monthly checks that so many depend upon for their livelihood. Those who support this amendment—that is, of the Senator from Michigan—seem to feel that we must in effect destroy Social Security in order to save it. Obviously, the majority of Members disagree.

I believe we can save Social Security for the future without putting current beneficiaries at risk of losing their monthly checks. We can do this not by supporting the Abraham amendment but by sticking to the budget enforcement tools that have successfully brought us this far, from a time of red ink as far as the eye could see to a day of projected budget surpluses.

That is why I support strongly the amendment offered by Senator LAUTENBERG. Simply put, we should reach agreement on a solution to the Social Security problem before we begin spending money we don't yet have. Until that happens, we should keep the pay-go rules and discretionary spending caps in place. This is the only way to truly save Social Security first.

I believe if we pursue this course we can make room in the budget for a number of critical priorities. In addition to saving Social Security, we can preserve Medicare. We all know that Medicare is in dire straits, worse shape than Social Security, and I am astounded that the majority party does not want to save Medicare, a program that is in worse shape even than Social Security.

I might also say that the balanced budget amendment which we passed a couple of years ago has a disproportionately detrimental effect on rural hospitals and rural doctors. In my State of Montana, rural hospitals lost 6.5 percent in 1997 in spite of the news that hospitals nationwide are making big profits—a 6.5-percent loss. That was before the balanced budget amendment cuts. If, as some suggest, we don't infuse the Medicare trust fund with some surplus moneys, there is a very real possibility that providers could suffer further cuts. If that happens, small rural hospitals will not just lose money, they will close.

For all the very real danger in the social security system, did you know that if we do nothing Medicare will be insolvent in about the next ten years? Think about that.

We are less than a decade away from allowing a major piece of our nation's security to whither on the vine.

Let's consider how quickly that date is coming. Only eight years ago, we launched Operation Desert Storm in Iraq. Ten years ago the Berlin Wall fell. Seems like yesterday, doesn't it?

And just a couple of years ago, Mr. President, Congress passed the Balanced Budget Act. In the BBA, we extended the life of the Medicare Trust Fund.

But we also implemented over $100 billion in cuts to health care providers. I hear about those reductions from Montanans every day.

Montana small rural hospitals lost 6.5 percent in 1997, in spite of news that hospitals nationwide were making a killing. 6.5 percent, Mr. President. And that was before the BBA cuts. If, as some have suggested, we don't infuse the Medicare Trust Fund with some surplus monies, there is a very real possibility that providers could suffer further cuts. If that happens small rural hospitals will not just lose money, they will close.

And patients—not just providers—will suffer. This Congress should do the responsible thing by not balancing the budget on the backs of Medicare patients and providers. The Senate should dedicate 15 percent of the budget surplus to save Medicare.

Mr. President, saving Social Security and shoring up Medicare must be our two top priorities.

I don't think that precludes us from passing targeted tax cuts, though. I think we can make room for tax cuts by getting rid of wasteful spending wherever it occurs.

Let me tell you a few tax cuts I will personally work for this Congress:

We should end the marriage penalty for Montana and American families.

We should provide tax cuts to promote education for our children. I will push this year to further expand the student loan interest deduction. I'll introduce legislation to encourage greater donations of computers and technology to schools. And I'll expand the lifelong learning credit so our workers can get the vital training they need to adapt to today's changing, global economy.

We should expand pension coverage particularly for our small business. Only one in five Montanans working for small businesses have access to retirement plans. I am introducing legislation to try to make pension plans more affordable and less complicated for small businesses and their employees.

And, as part of my safety net to help farmers weather these turbulent times, I am promoting a new farm savings account.

Mr. President, in conclusion, I believe that the pending amendment is the right way to go. We must save Social Security first. We should not use gimmicks like the ''lock box'' that could jeopardize our ability to issue social security checks and hurt the very people that we are trying to help.

Mr. President, I believe that, without such a gimmick, we can make room in the budget for what should be our three biggest priorities: Social Security, Medicare, and targeted tax cuts.

Let's seize this opportunity and do what's right for our country.

In summary, I am quite concerned about the priorities that are in the majority budget. A budget sets a country's priorities. For me, one of the main priorities should be saving Social Security, which, in effect, the majority budget does not do. Certainly we should help do what we can to save Medicare, to shore up Medicare, shore up the Medicare trust fund, which certainly the budget resolution before the Senate does not do.

We should not use gimmicks like lockboxes, and so forth. It may sound good, but they do not provide the benefits they purport to have.

I very much hope we adopt the amendment offered by the Senator from New Jersey, the amendment that sets the priorities that this country really needs and want.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. How much time remains?

The PRESIDING OFFICER. The Senator from New Mexico has 3 minutes 32 seconds, and the other side has 3 minutes 17 seconds.

Mr. DOMENICI. Who wants to speak on the Democratic side?

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I yield myself 1 minute 15 seconds.

Mr. President, I want to direct the chairman's attention to page 90 of the report. Here is the reserve fund for Medicare and the prescription drugs. I hope that anyone who believes we are really establishing a reserve fund in here for prescription drugs will take a little time to read it. We don't have the time to do so right now.

The point I want to make is this: When my good friend from New Mexico is talking about the $190 billion that is going to Medicare, as I mentioned, that is what will be necessary to just continue the program without any kind of adjustment. Then they have this $100

billion out there. In this report they say it can be used for prescription drugs, it can be used for disaster relief, it can be used for anything. Any time I hear someone come over and talk about a particular subject, it seems that they are using the same $100 billion for that particular purpose.

Now back to page 90 and restrictions placed here in terms of prescription drugs. There is absolutely no reason to expect there will be a prescription drug provision under this particular provision that has been added in the budget legislation. We will have an opportunity later in the afternoon to debate it, but there is nothing here to guarantee the availability of even one additional dollar for Medicare.

Mr. DOMENICI. Mr. President, I will reserve as best I can the decibel level until later in the day when I feel more like arguing with the distinguished Senator from Massachusetts, but he will hear it before we are finished, as I will hear his.

The Republican package is by far better than anything the President of the United States has offered to the people of this country on Medicare. Let me suggest that maybe before we are finished, we will put the President's Medicare package before the Senate and see how many Senators vote for it. As a matter of fact, it doesn't pay a penny of prescription drugs and doesn't provide for any method or manner of doing it. The 15 percent of the surplus that is put in there is clearly identified as being placed in there to elongate the trust fund. But you can't spend it under the President's plan. You get back IOUs, which means generations to come will have to pay whatever it is that is spent on Medicare over the years.

We did better than the President in that he cut $20 billion out of Medicare and we did not during the next decade. When you add that together with more than $100 billion that is not allocated anywhere out of the surplus that can be used for Medicare reform, including prescription drugs, we have a very good package.

The only thing missing is a proposal, a reasonable proposal, by the President of the United States to put into effect the use of that money and the kinds of reforms that are suggested by the committee which worked so long and was one vote short of what they needed.

We can go on forever this year debating Medicare, but the truth of the matter is, we have a solution in mind. There are others who talk about the problem and indicate that it will be fixed in some miraculous way when they don't have a plan.

I yield the remaining time to the Senator from Michigan.

The PRESIDING OFFICER. The Senator from Michigan has 45 seconds.

Mr. ABRAHAM. I will speak quickly.

Our plan, which will be voted on, is a sense-of-the-Senate amendment that we should create a Social Security lockbox. This would make sure that any Social Security surplus dollars are used either to fix Social Security or pay down the national debt. People on both sides of the aisle have been claiming that is what they wanted to do. We just heard the first spokesperson in opposition to that raising issues that I think are very dubious complaints.

If you don't want to reduce the national debt and you want to spend the Social Security surplus, then vote against this amendment. However, I can't think of any other reason, other than that, to vote no on our amendment. This is a sense of the Senate to set us in the direction of making sure we protect those surpluses.

The PRESIDING OFFICER. The time of the Senator has expired.

The Senator from New Jersey has 1 minute 48 seconds.

Mr. LAUTENBERG. Mr. President, I don't think I will use all that time, but I will take a moment to respond in case my colleague from Massachusetts needs any shoring up.

The fact of the matter is that the reserve fund, this mythical reserve fund, that was going to be $132 billion has, by osmosis, shrunk to $101 billion and it is headed in the wrong direction.

If there is going to be any participation at all in establishing solvency for another 12 years for Medicare, we have to make our judgment based on where things stand, not the kind of things that are said in honest debate.

Mr. KENNEDY. Will the Senator yield?

Mr. LAUTENBERG. I yield.

Mr. KENNEDY. Mr. President, the alternative under the Lautenberg amendment is, we will not have the tax cuts until we have the solvency of Social Security and Medicare. Is that the effect of the Lautenberg amendment?

Mr. LAUTENBERG. That is our amendment.

I yield back the remaining time.

Mr. DOMENICI. I yield back all time I might have.

The PRESIDING OFFICER. All time has expired.

Mr. DOMENICI. I ask for the yeas and nays on the Abraham amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. DOMENICI. I ask unanimous consent it be in order for me to make a point of order against the Lautenberg amendment so we can stack that vote.

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

Mr. DOMENICI. The Lautenberg amendment is not germane to the budget resolution; therefore, I raise a point of order under section 305(b)(2) of the Congressional Budget Act.

Mr. LAUTENBERG. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive the applicable sections to that act for the consideration of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

VOTE ON AMENDMENT NO. 143

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Michigan.

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Indiana (Mr. LUGAR) is absent because of a death in the family.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 58 Leg.]

YEAS—99

Abraham	Enzi	Lott
Akaka	Feingold	Mack
Allard	Feinstein	McCain
Ashcroft	Fitzgerald	McConnell
Baucus	Frist	Mikulski
Bayh	Gorton	Moynihan
Bennett	Graham	Murkowski
Biden	Gramm	Murray
Bingaman	Grams	Nickles
Bond	Grassley	Reed
Boxer	Gregg	Reid
Breaux	Hagel	Robb
Brownback	Harkin	Roberts
Bryan	Hatch	Rockefeller
Bunning	Helms	Roth
Burns	Hollings	Santorum
Byrd	Hutchinson	Sarbanes
Campbell	Hutchison	Schumer
Chafee	Inhofe	Sessions
Cleland	Inouye	Shelby
Cochran	Jeffords	Smith (NH)
Collins	Johnson	Smith (OR)
Conrad	Kennedy	Snowe
Coverdell	Kerrey	Specter
Craig	Kerry	Stevens
Crapo	Kohl	Thomas
Daschle	Kyl	Thompson
DeWine	Landrieu	Thurmond
Dodd	Lautenberg	Torricelli
Domenici	Leahy	Voinovich
Dorgan	Levin	Warner
Durbin	Lieberman	Wellstone
Edwards	Lincoln	Wyden

NOT VOTING—1

Lugar

The amendment (No. 143) was agreed to.

VOTE ON MOTION TO WAIVE THE BUDGET ACT

The PRESIDING OFFICER. The question is on agreeing to the motion to waive the Budget Act in relation to the Lautenberg amendment No. 144. The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Indiana (Mr. LUGAR) is absent because of a death in the family.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The yeas and nays resulted—yeas, 45, nays 54, as follows:

[Rollcall Vote No. 59 Leg.]

YEAS—45

Akaka	Edwards	Levin
Baucus	Feingold	Lieberman
Bayh	Feinstein	Lincoln
Biden	Graham	Mikulski
Bingaman	Harkin	Moynihan
Boxer	Hollings	Murray
Breaux	Inouye	Reed
Bryan	Johnson	Reid
Byrd	Kennedy	Robb
Cleland	Kerrey	Rockefeller
Conrad	Kerry	Sarbanes
Daschle	Kohl	Schumer
Dodd	Landrieu	Torricelli
Dorgan	Lautenberg	Wellstone
Durbin	Leahy	Wyden

NAYS—54

Abraham	Fitzgerald	McConnell
Allard	Frist	Murkowski
Ashcroft	Gorton	Nickles
Bennett	Gramm	Roberts
Bond	Grams	Roth
Brownback	Grassley	Santorum
Bunning	Gregg	Sessions
Burns	Hagel	Shelby
Campbell	Hatch	Smith (NH)
Chafee	Helms	Smith (OR)
Cochran	Hutchinson	Snowe
Collins	Hutchison	Specter
Coverdell	Inhofe	Stevens
Craig	Jeffords	Thomas
Crapo	Kyl	Thompson
DeWine	Lott	Thurmond
Domenici	Mack	Voinovich
Enzi	McCain	Warner

NOT VOTING—1

Lugar

The PRESIDING OFFICER. On this vote, the yeas are 45, the nays are 54. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi.

UNANIMOUS-CONSENT AGREEMENT

Mr. LOTT. Mr. President, I ask unanimous consent that all first-degree amendments to be in order to S. Con. Res. 20 must be offered by 12 noon on Thursday, March 25, 1999, and at 11:40 a.m. on Thursday, Senator LAUTENBERG be recognized to offer and lay aside amendments on behalf of Members on his side of the aisle, and at 11:50 a.m., Senator DOMENICI be recognized to offer and lay aside amendments on behalf of Members on this side of the aisle.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LOTT. Mr. President, I thank the managers, Senator LAUTENBERG and the chairman of the committee, Senator DOMENICI, for the work they are already doing, for the cooperation we have been receiving from Senator DASCHLE, and the fact that we started off last night with an agreement that we would have 35 hours remaining.

These Senators have worked through the debate this morning. We just had two back-to-back votes. Getting this agreement to have the first-degree amendments offered by 12 noon is also an important step in the right direction. I know they are going to continue to push aggressively.

Let me say to Members on both sides of the aisle, I know how prolific we are and how much we enjoy having amendments with our names on them. However, if we come up with 40 amendments on this side of the aisle and 40 amendments on that side of the aisle—80 amendments on top of the remaining 26 or 27 hours—we are not going to be able to make it by Friday.

In view of that, I have already made arrangements for my flight to be Saturday, not Friday. I also want to notify Members that in order to accomplish this goal of finishing up by Friday, we are going to have to go late—unless we can work out some other arrangement—Wednesday night and Thursday night, possibly Friday night. We already have presiding officers signing up for hours to go all night Wednesday and Thursday night. We only have a couple vacancies here. We have a 4 to 5 a.m. slot that will be left for somebody to sign on to. Maybe Senator BROWNBACK will sign up for that slot. We need to fill in these time blanks for both nights.

I know the managers are going to need help in order to get through this, especially if we have to go all night. I hope we can work out a way to avoid that, but it is going to take the cooperation of Members on both sides with the managers.

I am serious about doing this, not for punishment, but so we can do our work. I have Senators on both sides of the aisle coming up to me saying: ''I really need to get out of here Thursday night.'' ''Can I be gone by 1 Friday?'' ''I must be out of here by Friday night.'' In order to achieve that, we have to come to additional agreements, drop some amendments, and perhaps seriously go around the clock one night.

Please cooperate with the managers. You will have the chance on both sides to make your principal points, get votes on those amendments, and then we can move on to conclusion.

Thank you for the cooperation we have already received.

I yield the floor.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. First, I thank the distinguished majority leader for his assistance. I think that is a very good start.

I also ask unanimous consent that heretofore any votes that we have had, that the time used up on votes count against the total time under the resolution.

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

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I, too, extend my appreciation to the Democratic leader, Senator DASCHLE, for the hard work he did to try to get people to understand that we do not want to deprive anybody at all of their opportunity to offer amendments, but we make the case, as we all heard from the majority leader, that we are prepared to stay here as late as necessary tonight. And Senator DOMENICI and I, as usual, have been working cooperatively. I just wonder whether the majority leader asked the freshman class over there whether they would stay all night. But I thank you.

I ask permission, if it is all right with the Senator from Missouri, if the Senator from Wisconsin, who has a fairly short 6-minute presentation to make, could be recognized at this time.

Mr. DOMENICI. We have no objection.

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

The Senator from Wisconsin is recognized.

Mr. KOHL. Thank you, I say to Senator LAUTENBERG and Senator ASHCROFT.

Mr. President, I rise in opposition to the budget resolution. This budget is senseless, arrogant, and dishonest.

If this were an employee, you would fire him. If this were a house guest, you would boot him. But since this is a budget, our only option is to vote it down—and spend the few hours we have left in this debate hammering out a fiscal plan of which we can be proud.

When I call this budget senseless, I mean it literally: The budget does not make sense. The United States is experiencing the longest peacetime economic expansion in our history. We are projected to run budget surpluses totaling almost $5 trillion over the next 15 years.

In goods times like these, we ought to have the confidence to be bold, to pay our debts from the past, to solve the problems, like runaway entitlement spending, that will plague us in the future, and indeed, to invest wisely in a strong nation.

Instead, this budget makes a series of incomprehensible tradeoffs.

It increases funding for elementary and secondary education, while removing 100,000 young students from Head Start, and eliminating child care subsidies for 34,000 low-income children. If we follow this budget, we will be ready to teach children who, because we have neglected them in their first 5 years, are not ready to learn.

The budget increases spending for research into new diseases, while cutting spending for the vaccines that protect our children from old diseases.

The budget increases military spending beyond what the President wants, and cuts diplomatic spending below what the Secretary of State believes is feasible. We are sending the administration out into a world of shifting borders and allegiances armed with a stick too big to lift and a carrot too small to see.

The budget fully funds the Violent Crime Trust Fund and cuts 2,700 FBI agents. Now how do we reduce violent crime while also reducing the number of people specifically charged with fighting it?

And in perhaps the cruelest mismatch of all, this budget chooses an

enormous tax cut over shoring up the Medicare Trust Fund. The budget trades a long-term policy of health and security, for those who really need it, for a short-term policy of giving cash to those who already have it.

These sort of confusing tradeoffs are enough for most of us to reject the budget. But these policy missteps are compounded by the fact that they are continued for many years.

The budget includes tax cuts that grow exponentially as far as the eye can see, and huge increases in military hardware purchases in contracts stretched out almost as far. Have we not learned from the past? This is the same combination of defense spending and tax cuts that led to the record budget deficits of the 1980s. Have we no respect for the future? It is the height of arrogance for politicians today to lock future generations into evermore expensive contracts and commitments.

And finally, the budget is dishonest. By the admission of several congressional leaders, there is no way the draconian cuts in domestic spending envisioned by this budget will last the year.

What that means is, sometime in November, we will all be voting for, and lamenting over, a hastily thrown together omnibus appropriations bill that funds all the needs this budget proposes to ignore.

That is a sloppy way to do our business. If these domestic programs are priorities—and I believe they should be—then we ought to discuss them now, plan for them now, budget for them now. It is dishonest to trumpet this budget as responsible spending, while fully expecting to spend irresponsibly and freely at the end of the year.

This budget is not evil; it is sloppy. It reflects priorities so misguided and mismatched that no one expects they will be implemented at the end of the day. The budget is not so much a crime as it is a mistake and a missed opportunity.

We had a chance to behave responsibly and wisely, using our current surplus and strong economy to underpin a visionary plan for this Nation's fiscal future. We could not have done something for the future, but instead we have a budget that, at best, will get some of us through tonight's 6 o'clock news sound bites. After that, it will be shoved aside for a last minute, unplanned and probably unwise spending spree.

So, let's not wait until tomorrow. Let's put this budget out of its misery now. Let's not stumble into the new century with a senseless spending plan. Let's adopt a fiscal framework that makes sense for old and young—that will stand today and in the future.

I thank you, Mr. President, and yield the floor.

Mr. ASHCROFT addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

AMENDMENT NO. 145

(Purpose: To express the sense of the Senate that the Federal Government should not directly invest the social security trust funds in private financial markets)

Mr. ASHCROFT. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Missouri [Mr. ASHCROFT] for himself, Mr. BROWNBACK, Mr. GREGG, Mr. SMITH of New Hampshire, Mr. ABRAHAM, Mr. ENZI, Mr. INHOFE, Mr. ROTH, and Mr. WARNER, proposes an amendment numbered 145.

Mr. ASHCROFT. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE THAT THE FEDERAL GOVERNMENT SHOULD NOT INVEST THE SOCIAL SECURITY TRUST FUNDS IN PRIVATE FINANCIAL MARKETS.

It is the sense of the Senate that the assumptions underlying the functional totals in this resolution assume that the Federal Government should not directly invest contributions made to the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund established under section 201 of the Social Security Act (42 U.S.C. 401) in private financial markets.

Mr. ASHCROFT. Mr. President, the amendment which I have sent to the desk is a simple one. It is an amendment forbidding the Government to invest Social Security trust funds in the stock market.

We have talked a lot about Social Security in relation to the budget and that it is important that we not invade the Social Security trust fund to undertake spending to cover deficits in other areas, and that is really a way to protect the trust fund. This amendment is another way to protect the trust fund and to protect the retirement security of Americans from the risks of the stock market.

So this amendment expresses the sense of the Senate that the Federal Government should not invest the Social Security trust fund in the stock market. Having the Government invest the trust fund in the stock market is a gamble. It is a gamble Congress should be unwilling to make on behalf of the millions who receive and depend on Social Security to meet their retirement needs.

First, let me say that there is no more worthy Government obligation than ensuring that those who paid a lifetime of Social Security taxes will receive their full Social Security benefits. Social Security is our most important social program, and I believe it is a contract, an agreement between the citizens and their Government. Americans, including 1 million Missourians, depend on this commitment. And I am determined to ensure that Social Security meets that commitment.

The President has suggested, and for the first time in history, that the Government should invest as much as $700 billion worth of Social Security surpluses in the stock market. In my view, and in the view of many Missourians who depend on Social Security, this would unnecessarily gamble with the Social Security trust funds.

For more than 60 years, Social Security law has forbidden the trust funds from being invested in the stock market. The pending amendment will express our support for that law, making explicit what is now implicit, that this kind of governmental meddling into private markets should not be allowed to happen.

Federal Reserve Board Chairman Alan Greenspan says that investing Social Security funds in the market is bad for Social Security and, he says, bad for the economy. Now, when Alan Greenspan talks, virtually everyone listens. And Congress ought to listen.

Chairman Greenspan has said this plan ''will create a lower rate of return for Social Security recipients,'' and he ''does not believe that it is politically feasible to insulate such huge funds from a governmental direction.''

I think what he is saying is it is not time to let some bureaucrat play broker-for-a-day with the Social Security trust fund. The last thing we need in America is the Federal Government directing the investment of Social Security trust funds based on some trendy politically driven notion of which industries or which countries or which policies are in political favor at the moment.

Of course, Alan Greenspan is not the only Government official entrusted with and ensuring our economic well-being who is gravely concerned or who has expressed grave concerns about this proposal. Arthur Levitt, the Chairman of the Securities and Exchange Commission, the country's top investment official, has said,

> We have an obligation to think long and hard about the implications of Social Security reform. Investing Social Security in the stock market, by its very nature involves heightened obligations, difficult questions and new challenges.

Chairman Levitt is worried about the ''large-scale market effect.'' In other words, what does this proposal do to the market, including whether the Government would ''have an even greater incentive, if not the market itself.'' We know that America has prospered because of free markets, not Government-directed markets. The prospect of the market trying to control market fluctuations is disturbing.

In this scenario, the Government could subsidize companies that were losing market value, regulate companies that pursued risky or innovative strategies, and pursue policies based on which companies would benefit. If the Federal Government tried to pick market winners and losers, all of us, companies and citizens alike, Social Security recipients, and those paying the taxes would end up as losers.

When officials of the stature of Chairman Greenspan and Levitt, officials who are responsible for the health

of the Nation's economy and of the stock market, warn us when they speak, we ought to tread very carefully.

In addition to the concerns of the experts, I am listening to the concerns of individual Missourians. I recently received a letter from Todd Lawrence of Greenwood, MO, who wrote,

> It has been suggested that the government would invest in the stock market with my Social Security money. No offense, but there is not much that the government touches that works well. Why would making my investment decisions for me be any different. Looking at it from a business perspective, would the owner of a corporation feel comfortable if the government were the primary shareholder?

Todd Lawrence understands what President Clinton apparently does not. No corporation would want the Government as a shareholder, and no investor would want the Government handling their investment.

Even if the Government were able to invest without adding new levels of inefficiency to the process, the Government putting Social Security taxes in the stock market adds an unacceptable level of risk to retirement. This risk is a gamble I am unwilling to make for the one million Missourians who are the recipients of Social Security. This amendment puts Congress on record that Government will not gamble Social Security in the stock market.

While I understand the impulse to attempt to harness the great potential of the stock market, significant Government involvement in the stock market could tend toward economic nationalization, excess Government involvement in private financial markets, and short-term, politically motivated investment decisions that could diminish Social Security's potential rate of return.

It is hard to overestimate how dangerous this scheme really is. Imagine, if you will, what would happen if the Government had $2.7 trillion in the market on Black Monday, October 19, 1987, when the stock market lost 22 percent of its value. The trust fund's owners, America's current and future retirees, would have lost a collective total of $633 billion that day alone. Imagine seniors who depend on Social Security watching television, watching the news of the stock market collapse, wondering, even fearing, their Social Security would be in danger.

While individuals properly manage their financial portfolios to control risk, the Government has no business taking these gambles with the people's money.

Even President Clinton has expressed skepticism with this idea. In Albuquerque last year, the President said the following,

> I think most people just think if there is going to be a risk taken, I'd rather take it than have the government take it for me.

He was right then and he is wrong now. While Americans as individuals should invest as much as they can, as much as they can afford in their private equities to plan for their own retirements, the Government should stay out of the stock market.

I urge my colleagues to join me in support of this amendment.

I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. SESSIONS). Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. ASHCROFT. I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Mr. President, I rise to express my support for the amendment put forward by the Senator from Missouri. I join him in this amendment and I join him in the sentiment that he has put forward and articulated, I think very well, about the potential problems and pitfalls if we go this route of the Government investing the Social Security trust fund surplus in the stock market.

Now, a lot of us would say if we want to have private sector individuals take certain portions of their surplus and put them in investments they deem worthy and sound, that is one thing to consider; but when you have the Government looking at potentially investing $2.7 trillion over a period of time and directing that in the stock market, I think you are asking for a whole boat load of problems.

Having the Government invest the Social Security trust fund in the stock market, I believe, is dangerous because of the Government having cross-purposes when it frequently seeks to do various things.

We heard the Senator from Missouri talk about some ''for instances.'' If we have a poor economy taking place and people are looking around saying what can we do to stimulate the economy, what we need to do is put more money in the stock market to stimulate its growth and hopefully that will stimulate the economy. People say, ''Raid the trust fund and move it into the stock market.'' That may be a fine thing for macroeconomics, it may not be. It could be a very poor thing for Social Security and trust funds and pension funds. We should look at these as people's pension funds. That is just not a wise policy to take place.

We could also have all sorts of political pressures—the Senator from Missouri or the Senator from Kansas saying, ''Not enough of this money is being placed by the Government into Kansas. I think they ought to be investing more money in Kansas rather than less money,'' so I start lobbying, or others do, to get the Government to invest more of the Social Security money, these pension funds of the American public, into Kansas.

That may be a good and laudable purpose. From my perspective, it is a great purpose. Is that the sort of thing we ought to be doing with our pension funds, though? Is that the sort of cross-purpose that we should invite by encouraging and allowing the Federal Government to invest money in the private stock market? I think not.

President Clinton has suggested that the Government invest up to $700 billion in surplus payroll taxes in the stock market. I applaud the President for recognizing the strength of our economy. I have to seriously question this proposal. The dangers of a Government-controlled economy are vast and they are far reaching. Socializing our free market economy through Government-controlled investments in the stock market would have a chilling effect on future economic growth. The markets would become more sensitive to the executive branch decisions and less sensitive to market forces and factors.

The potential abuses are easily seen, and I have already articulated a couple of them. Businesses that are not supportive of the administration could be punished and those that are supportive would be rewarded. Again, a cross-purpose with people's pension money—not a good idea.

Federal Reserve Chairman Greenspan has been previously quoted as saying he deems this to be a bad idea for Social Security and a bad idea for the economy.

I think his one quote bears repeating at this time because it goes to the heart of the issue. Alan Greenspan said he ''does not believe that it is politically feasible to insulate such huge funds from a governmental direction.''

Now, imagine that—$700 billion multiplied over time being directed by Government and an administration that might be at cross purposes with saying what is the best thing to do for these pension funds, or even if we had the best of purposes, you are going to invite manipulation taking place in the market with pension funds.

The last thing this country needs is the Federal Government directing the investment of Social Security funds based on politics. That is simply what we are inviting if we seek to have the Government do this investment. This is something private individuals should do. They should be allowed to do that on certain portions of it, but the Government should not.

Our amendment states that it is the sense of the Senate that the Government should not be allowed to invest the trust funds in the stock market. I hope all of our colleagues, seeing the dangers of this proposal, will vote in favor of our amendment.

With that, I yield the floor.

Mr. ENZI addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I would like to speak for 6 minutes on this amendment.

The PRESIDING OFFICER. The Senator is recognized for 6 minutes.

Mr. ENZI. Mr. President, I rise as an original cosponsor of the Ashcroft-Brownback amendment voicing opposition to the President's plan of having the Federal Government invest our Social Security funds in the stock market.

We all understand and, hopefully, agree that, if left unchanged, the future of Social Security is in jeopardy, as the program will begin running deficits in 2013 when 71 million baby boomers begin collecting retirement benefits. We know the number of retirees will double between 2008 and 2018, narrowing the ratio of workers to beneficiaries to less than 3-to-1. I point out that in 1950 there were 16 workers for every single beneficiary. We all know that all trust funds, if they even exist, will be completely exhausted in 2032.

We have a responsibility to save this program from a fate that everyone agrees will happen without change. The Ashcroft-Brownback amendment is a solid first step in assuring the American people that Congress is committed to fixing this problem, while preempting the President's ''Big Brother'' philosophy. I am deeply concerned by the message the President is sending to the American people. The very reason Social Security has a solvency problem is that it is a federally administered program with IOUs that are disguised as real trust funds.

The President wants to right a wrong with another wrong. Not only has he failed to provide Congress with actual reform legislation, the Social Security Administration has neglected its responsibility to make legislative recommendations to Congress as well. To think that the President now wants to embrace the benefits of private aggregate investment by playing the stock market and have Government select the winners and the losers is simply bad policy.

Last week, I spent 13 hours in executive session in the Health, Education, Labor, and Pensions Committee marking up S. 326, the Patients' Bill of Rights. We debated a sizable number of amendments. Members of the committee may have substantially disagreed on a majority of these amendments, but there was no conflict regarding individual control and choice over one's health care. It is a fundamental premise that respects each person's right to exert some control over decisions involving their own health.

During that debate, several of my Democratic colleagues touted patient control and choice. Why, then, why isn't that choice and control being extended to Social Security? Is a person's health care more sensitive or politically appealing than that person's Social Security? I have trouble separating the two. However, the President seems to have found a way to advocate consumer control and choice in health care while denying individuals that same right with their Social Security.

The lack of consistency in the President's message is disturbing. If the President really believes in personal control and choice, he should abandon the notion of federal government investment of America's retirement on the stock market and support personal investment accounts. That's choice. That's giving Americans some say in this debate. Taxpayers don't need big brother to make this decision nor do they want it to. But the President's plan would authorize the federal government to invest hard-earned payroll tax dollars on the stock market. No personal control, choice or say by the individual. The President needs to stop polling and start listening to what the majority of Americans want.

The Ashcroft/Brownback amendment is an insurance policy for the American people. It insures them that their Social Security will not be invested and managed by the federal government—an idea that's been condemned by Federal Reserve Chairman, Alan Greenspan; Comptroller General for the General Accounting Office, David Walker; and, Congressional Budget Office Director Dan Crippen—all three are federal agency heads. Is the President listening to them?

How about the labor community? I received a letter signed by 10 prominent labor unions—including the Teamsters, United Workers of America, United Steel Workers as well as the United Mine Workers indicating their opposition of ''the President's proposal to allow the government itself to invest part of the Social Security Trust Fund surpluses in corporate stocks and bonds.'' Is the President listening to them?

While serving on the Senate Labor Committee, I rarely see organized labor and the business community agree. This issue, however, is one exception. The Alliance for Worker Retirement Security, which the National Association of Manufacturers founded last year, strongly criticized President Clinton's plan to have the government manage the investment of Social Security trust funds in the stock market. According to NAM, ''government ownership—in other words, control of private enterprise—is a mockery of the principles on which this country is founded.''

A majority of opinions agree that the President's message is flawed and that it constitutes bad policy. We often have trouble arriving at a consensus in the Senate. But since federal agency heads, the labor community and the business community share the same concern, this Administration and the Senate have a duty to listen.

I strongly support the Ashcroft/Brownback amendment and I'm pleased to be an original cosponsor. It shows that the Senate isn't turning a blind eye on this important policy decision. I urge my colleagues on both sides of the aisle to vote in favor of this amendment.

Mr. President, I yield the floor.

Mr. ROTH. Mr. President, I rise today in support of the Ashcroft amendment. This Sense of the Senate expresses the Senate's opposition to the Federal government directly investing the Social Security Trust Funds in the nation's financial markets, that is, making the Federal government or Social Security the owner of stocks and bonds.

The risks of this kind of investing are well known, but bear repeating. Put simply, many believe, with good reason, that there would be a strong, irresistible temptation by future Administrations or Congresses to invest according to political considerations, rather than seeking the best rate of return. Let us consider just a few of these ways. For example, some stocks might be avoided because of public policy concerns. For example, last year the State of Minnesota decided to divest tobacco stocks from its state employee pension fund, losing $2 million in the process. Others might want to invest in particular businesses to create or protect jobs.

But even if proponents of direct Federal investing are right that firewalls could be built to insulate Trust Funds investments from political considerations, such investing would almost certainly be contentious. Americans are very diverse, with diverse views, and groups would almost certainly organize to bring those views to bear on Trust Fund investing. Frankly, we need to solve Social Security's future problems, not add new ones.

Nonetheless, there is broad, bipartisan agreement that the future of Social Security may be improved by reaping higher returns from investments in the nation's securities markets, in stocks and bonds. The President has generally endorsed this approach, as well as many lawmakers, economists and other policy experts, and millions of average Americans. The issue is how to conduct such investments.

One promising approach is personal retirement accounts. While proposals differ, personal retirement accounts would provide each working American with an investment account he or she owns. With even conservative investment in stocks and bonds and the power of compound interest, personal retirement accounts can provide a substantial retirement nest egg.

Indeed, I have introduced legislation, S. 263, the Personal Retirement Accounts Act of 1999, that would get accounts up and running with a portion of the budget surplus.

Still others may have ideas to secure the benefits of investments for Social Security. In my view, the more ideas the better regarding investment—as long as the Federal government is not the owner of record.

AMENDMENT NO. 147

(Purpose: To use any Federal budget surplus to save Social Security and Medicare first)

Mr. CONRAD. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Dakota [Mr. CONRAD] proposes an amendment numbered 147.

Mr. CONRAD. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

After section 206, insert the following:

SEC. ____. SAVE SOCIAL SECURITY AND MEDICARE FIRST LOCKBOX.

(a) DEFINITION.—In this section, the term ''Social Security and Medicare lockbox'' means with respect to any fiscal year, the Social Security surplus (as described in section 311(b)(1) of the Congressional Budget Act of 1974), and the Medicare surplus reserve, which shall consist of amounts allocated to save the Medicare program as provided in subsection (b).

(b) MEDICARE SURPLUS RESERVE.—

(1) IN GENERAL.—Subject to adjustment pursuant to paragraph (2), the amounts reserved for the Medicare surplus reserve in each year are—

(A) for fiscal year 2000, $0;
(B) for fiscal year 2001, $3,000,000,000;
(C) for fiscal year 2002, $26,000,000,000;
(D) for fiscal year 2003, $15,000,000,000;
(E) for fiscal year 2004, $21,000,000,000;
(F) for fiscal year 2005, $35,000,000,000;
(G) for fiscal year 2006, $63,000,000,000;
(H) for fiscal year 2007, $68,000,000,000;
(I) for fiscal year 2008, $72,000,000,000;
(J) for fiscal year 2009, $73,000,000,000;
(K) for fiscal year 2010, $70,000,000,000;
(L) for fiscal year 2011, $73,000,000,000;
(M) for fiscal year 2012, $70,000,000,000;
(N) for fiscal year 2013, $66,000,000,000; and
(O) for fiscal year 2014, $52,000,000,000.

(2) ADJUSTMENT.—

(A) IN GENERAL.—The amounts in paragraph (1) for each fiscal year shall be adjusted each year in the budget resolution by a fixed percentage equal to the adjustment required to those amounts sufficient to extend the solvency of the Federal Hospital Insurance Trust Fund based on the most recent Report of the Board of Trustees of the Federal Hospital Insurance Trust Fund (intermediate assumptions) through fiscal year 2020 or 12 years after the date of insolvency specified in the 1999 Report, whichever date is later.

(B) LIMIT BASED ON TOTAL SURPLUS.—The Medicare surplus reserve, as adjusted by subparagraph (A), shall not exceed the total budget resolution baseline surplus in any fiscal year.

(c) MEDICARE SURPLUS RESERVE POINT OF ORDER.—It shall not be in order in the Senate to consider any concurrent resolution on the budget (or amendment, motion, or conference report on the resolution) that would decrease the surplus in any of the fiscal years covered by the concurrent resolution below the levels of the Medicare surplus reserve for those fiscal years calculated in accordance with subsection (b)(1).

(d) ENFORCEMENT OF MEDICARE SURPLUS.—After a concurrent resolution on the budget is agreed to, it shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report that would cause a decrease in the Medicare surplus reserve in any of the fiscal years covered by the concurrent resolution.

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

(f) SUPERMAJORITY WAIVER.—

(1) WAIVER.—A bill, resolution, amendment, motion, or conference report violating this section shall be subject to a point of order that may be waived or suspended only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEALS.—An affirmative vote of three-fifths of the Members, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under paragraph (1).

On page 46, strike section 204.

At the end of section 101, insert the following:

(7) MEDICARE SURPLUS RESERVE.—The amounts of the surplus that shall be reserved for Medicare are as follows:

(A) Fiscal year 2000: $0;
(B) Fiscal year 2001: $3,000,000,000;
(C) Fiscal year 2002: $26,000,000,000;
(D) Fiscal year 2003: $15,000,000,000;
(E) Fiscal year 2004: $21,000,000,000;
(F) Fiscal year 2005: $35,000,000,000;
(G) Fiscal year 2006: $63,000,000,000;
(H) Fiscal year 2007: $68,000,000,000;
(I) Fiscal year 2008: $72,000,000,000; and
(J) Fiscal year 2009: $73,000,000,000.

Increase the levels of Federal revenues in section 101(1)(A) by the following amounts:

(1) Fiscal year 2000: $0;
(2) Fiscal year 2001: $3,000,000,000;
(3) Fiscal year 2002: $25,000,000,000;
(4) Fiscal year 2003: $13,000,000,000;
(5) Fiscal year 2004: $18,000,000,000;
(6) Fiscal year 2005: $31,000,000,000;
(7) Fiscal year 2006: $57,000,000,000;
(8) Fiscal year 2007: $58,000,000,000;
(9) Fiscal year 2008: $59,000,000,000; and
(10) Fiscal year 2009: $56,000,000,000.

Change the levels of Federal revenues in section 101(1)(B) by the following amounts:

(1) Fiscal year 2000: $0;
(2) Fiscal year 2001: $3,000,000,000;
(3) Fiscal year 2002: $25,000,000,000;
(4) Fiscal year 2003: $13,000,000,000;
(5) Fiscal year 2004: $18,000,000,000;
(6) Fiscal year 2005: $31,000,000,000;
(7) Fiscal year 2006: $57,000,000,000;
(8) Fiscal year 2007: $58,000,000,000;
(9) Fiscal year 2008: $59,000,000,000; and
(10) Fiscal year 2009: $56,000,000,000.

Reduce the levels of total budget authority and outlays in section 101(2) and section 101(3) by the following amounts:

(1) Fiscal year 2000: $0;
(2) Fiscal year 2001: $0;
(3) Fiscal year 2002: $1,000,000,000;
(4) Fiscal year 2003: $2,000,000,000;
(5) Fiscal year 2004: $3,000,000,000;
(6) Fiscal year 2005: $4,000,000,000;
(7) Fiscal year 2006: $6,000,000,000;
(8) Fiscal year 2007: $10,000,000,000;
(9) Fiscal year 2008: $13,000,000,000; and
(10) Fiscal year 2009: $17,000,000,000.

Increase the levels of surplus in section 101(4) by the following amounts:

(1) Fiscal year 2000: $0;
(2) Fiscal year 2001: $3,000,000,000;
(3) Fiscal year 2002: $26,000,000,000;
(4) Fiscal year 2003: $15,000,000,000;
(5) Fiscal year 2004: $21,000,000,000;
(6) Fiscal year 2005: $35,000,000,000;
(7) Fiscal year 2006: $63,000,000,000;
(8) Fiscal year 2007: $68,000,000,000;
(9) Fiscal year 2008: $72,000,000,000; and
(10) Fiscal year 2009: $73,000,000,000.

Decrease the levels of public debt in section 101(5) by the following amounts:

(1) Fiscal year 2000: $0;
(2) Fiscal year 2001: $3,000,000,000;
(3) Fiscal year 2002: $26,000,000,000;
(4) Fiscal year 2003: $15,000,000,000;
(5) Fiscal year 2004: $21,000,000,000;
(6) Fiscal year 2005: $35,000,000,000;
(7) Fiscal year 2006: $63,000,000,000;
(8) Fiscal year 2007: $68,000,000,000;
(9) Fiscal year 2008: $72,000,000,000; and
(10) Fiscal year 2009: $73,000,000,000.

Decrease the levels of debt held by the public in section 101(6) by the following amounts:

(1) Fiscal year 2000: $0;
(2) Fiscal year 2001: $3,000,000,000;
(3) Fiscal year 2002: $26,000,000,000;
(4) Fiscal year 2003: $15,000,000,000;
(5) Fiscal year 2004: $21,000,000,000;
(6) Fiscal year 2005: $35,000,000,000;
(7) Fiscal year 2006: $63,000,000,000;
(8) Fiscal year 2007: $68,000,000,000;
(9) Fiscal year 2008: $72,000,000,000; and
(10) Fiscal year 2009: $73,000,000,000.

Reduce the levels of budget authority and outlays in section 103(18) for function 900, Net Interest, by the following amounts:

(1) Fiscal year 2000: $0;
(2) Fiscal year 2001: $0;
(3) Fiscal year 2002: $1,000,000,000;
(4) Fiscal year 2003: $2,000,000,000;
(5) Fiscal year 2004: $3,000,000,000;
(6) Fiscal year 2005: $4,000,000,000;
(7) Fiscal year 2006: $6,000,000,000;
(8) Fiscal year 2007: $10,000,000,000;
(9) Fiscal year 2008: $13,000,000,000; and
(10) Fiscal year 2009: $17,000,000,000.

Reduce the levels in section 104(1) by which the Senate Committee on Finance is instructed to reduce revenues by the following amounts:

(1) $0 in fiscal year 2000;
(2) $59,000,000,000 for the period of fiscal years 2000 through 2004; and
(3) $320,000,000,000 for the period of fiscal years 2000 through 2009.

Mr. CONRAD. Mr. President, the amendment that I am offering says simply, let us lock up in a safe-deposit box every penny of Social Security surplus and, in addition to that, 40 percent of the non-Social Security surplus for Medicare.

Mr. President, that is what this depicts: Social Security's and Medicare's first lockbox. Let's save the Social Security surplus over the next 10 years. That is $1.8 trillion. And we save every penny of the Social Security surplus each and every year.

In addition, we say let's also save 40 percent of the non-Social Security surplus for Medicare. These are the two top priorities of the American people. We say let's reserve funds for both of them. Let's make certain that there are sufficient resources to do the reforms that are necessary to strengthen and preserve both Social Security and Medicare.

As I have looked at the lockbox offered by our friends across the aisle, it seems to me that there is a deficiency. I call this ''the broken safe,'' because, while I commend our friends on the other side of the aisle for locking up the Social Security surplus, they forgot something. They forgot Medicare.

I am simply saying we ought to not only reserve the Social Security surplus for Social Security, but we ought to also provide for Medicare. Medicare is on the brink of insolvency. In fact, it is closer to going under than Social Security. So let's take the top priorities of the American people and put them at the top of the list for the Congress as well.

Let me make clear that under this plan we would have $1.8 trillion over the next 10 years for Social Security. We would have over $370 billion for Medicare. But those aren't the only priorities. And we understand there would also be money left over—some $385 billion over the 10 years—for top domestic priorities, including education, defense, and health care and, yes, tax relief for hard-pressed American families, but the difference is one of priorities.

If I could go to this next chart and show the comparison, under the plan that we are offering we are saving Social Security and Medicare first because we think those are the priorities of the American people. We save 100 percent of the Social Security surplus in every year. We save 40 percent of the non-Social Security surplus for Medicare. Overall, we are saving 77 percent of the unified surplus in comparison to 62 percent in the Republican plan. That means we are paying down more of the publicly held debt than the plan offered by our friends across the aisle. In fact, we will pay down $300 billion more of the publicly held debt under the plan that I am offering in this amendment than the plan of our colleagues on the other side of the aisle.

So, over 15 years, we reserve $700 billion for Medicare, over $370 billion for 10 years, but over 15 years over $700 billion for Medicare. Our friends on the other side, on the other hand, have tax cuts of over $700 billion over that same period. But they have not one dime of the surplus saved for Medicare.

Mr. President, we think that is a mistake.

If we look at the combination and compare the two plans, here is what we see. The Republican plan is in blue. The plan I am offering is in red. In the years 2000 to 2004, the Republican plan would save $768 billion. We would save $833 billion for Social Security and Medicare. And over a 10-year period, the Republican plan would save about $1.8 trillion. We would save $2.155 trillion, because not only again are we protecting every dollar of the Social Security surplus for Social Security, but in addition we are reserving funds out of the surplus for Medicare. Why? Because no part of the Federal budget is in greater danger than Medicare. And, yes, we need to reform the program.

In addition to that, we need to put additional resources into Medicare to extend its solvency. Right now we know that Medicare is threatened by the year 2008. What is going to happen? What is going to happen to the millions of Americans who rely for their health care on the Medicare system? Not only is it important to our grandparents, it is important to their children, because what happens if the health care of their parents are not provided for? What happens if the promise is not kept? I think we all understand what happens. The responsibility and the debts shift, and the children will be put in an impossible position as well.

I believe this amendment reflects the priorities of the American people. The Republican plan basically says save money for Social Security. I commend them for that part of the plan. But almost all of the rest of the money they say is reserved for a tax cut will go disproportionately to the wealthiest among us.

We say those are not the priorities of the American people. Instead, we ought to save every dollar of the Social Security surplus. But we also ought to reserve 40 percent of the non-Social Security surplus for Medicare. That will still leave nearly $400 billion available for high-priority domestic concerns like education, defense, health care, and, yes, for tax relief as well.

That we believe reflects the priorities of the American people better than those offered by the other side. They have in their plan over $800 billion reserved for tax cuts. They don't have one penny reserved out of the surplus for Medicare—not one penny. Mr. President, we don't think that is the right set of priorities.

I remind my colleagues of what they said last year in the Budget Committee debate. This is the chairman of the Budget Committee, the very able Senator DOMENICI. Last year he said this.

> . . . Let me tell you, for every argument made around this table today about saving Social Security, you can now put it in the bank that the problems associated with fixing Medicare are bigger than the problems fixing Social Security, bigger in dollars, more difficulty in terms of the kind of reform necessary, and, frankly, I am for saving Social Security. But it is most interesting that there are some who want to abandon Medicare . . . when it is the most precarious program we have got.

Senator DOMENICI was right then. What a difference a year makes. I wish this budget reflected those priorities.

He went on to say:

> . . . [W]e are very concerned about the long-term effect our population demographics will have on Medicare, and we are of the strong opinion that the second objective of this budget should be to preserve Medicare.
>
> . . . We think the best way to do something commensurate with the depletion in the budget is to pledge any extra resources we have, not generating programs, but, rather, putting them in Medicare where they ought to be.

Again, the distinguished Senator from New Mexico was absolutely right. We ought to put additional resources that come to us to secure Medicare for the future as well as Social Security.

And Senator GRAMM of Texas said just a year ago in the Budget Committee, and I quote:

> . . . [W]hat would we do if we had a half a trillion dollars to spend? . . . The obvious answer that cries out is Medicare.
>
> . . . I think it is logical. People understood the President on save Social Security first, and I think they will understand save Medicare first.
>
> . . . Medicare is in crisis. We want to save Medicare first.

That is Senator GRAMM of Texas, just a year ago. What has happened? Why is there not a dime of the surplus reserved for Medicare in the plan of our Republican friends? There is not one dime locked away for Medicare. They will say: But we do have a surplus of $100 billion that we have not spent, that is really for Medicare. But, you know what, they did not do anything to protect it for Medicare, not one thing. Nothing has been done to protect one penny of that $100 billion for Medicare.

Do you know what else, that money is also required for emergencies over the next 10 years. If we go back and look at the last 10 years, we know that $100 billion will be spent just for emergencies because we are spending about $9 billion a year for emergencies. Over the next 10 years, including debt service, we will use up that $100 billion of their reserve just for disasters.

That leads me to the conclusion that without question they have not locked up one penny of surpluses for Medicare. The $100 billion that they talk about has not been protected for Medicare, not a dime of it. And every penny of it will likely be used for disasters and other emergencies because that has been the historical record.

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

Mr. CONRAD. I would be pleased to yield.

Mr. KENNEDY. Even if they use the $100 billion, what part of the Medicare deficit would that make up?

It is my understanding that would not even begin to make a downpayment in terms of the financial insecurity of the Medicare trust fund. Could the Senator address that issue? Because I agree with the Senator, it has been pointed out by those on the other side about how much they have done for Medicare when, as the Senator has pointed out, there is not one additional cent, not one new cent. They are going to fund the program with $190 billion which would be expended on the Medicare for current services. But not one additional cent.

But even if they allocated the $100 billion for Medicare, given what the Medicare trust fund trustees have indicated was going to be a deficit of some $686 billion, how significant would that really be in terms of giving a guarantee to our elderly people in this country?

Mr. CONRAD. Mr. President, unfortunately, when you pierce the veil on this one, what you find is there is not anything left. There is not any part of that money that is protected for Medicare, not a dime. There is $100 billion that is not spent in their budget plan, but based on our history we know it will probably all go for disasters and emergencies. There will not be any money available to strengthen Medicare. There will not be any money available to extend the solvency of Medicare.

That is why I think this amendment is fundamentally important. Because we are saying: Yes, absolutely, save every penny of the Social Security surplus for Social Security. But, of the rest of the surplus, the non-Social Security surplus, we save 40 percent of it, lock it up, protect it by special budget points of order so it cannot be raided, it cannot be looted. It is there to strengthen Medicare.

These are the top priorities of the American people: Medicare and Social Security. We believe we ought to provide protection for both. That is the essence of my amendment and I hope my colleagues will support it.

Mr. KENNEDY. Will the Senator yield for one more question?

Mr. CONRAD. I will be pleased to yield.

Mr. KENNEDY. Could I ask the Senator to open up the copy of S. Con. Res. 20 to page 5? As I understand it, as you go down to lines 18, 19, 20 and 21, under the Republican budget, even for that fund that has been designated, $100 billion as I read that, there would be a deficit in the year 2000 of $6 billion; in fiscal year 2001 it is zero; in 2002 it is zero; in 2003 it is zero; and in 2004 it is only $2.8 billion.

So even under the proposal that our friends talk about, there will not be any funds available, as I understand this, for the next 5 years. So, whether you are talking about disaster relief or inadequate funding for Medicare, even with the kind of restrictions that have been put on this fund that might be used for prescription drugs, we are talking about 5 years where there really is not anything there.

Am I correct?

Mr. CONRAD. The Senator is exactly correct. He is reading the table exactly in the correct way. I might just say to my friend, the Senator from Massachusetts, really I think our friends across the aisle have about spent this $100 billion three or four times. Because, to anybody who comes to them and says there are any deficiencies in their budgets, they say we have $100 billion we have not spent.

Of course all that money, based on history, will go for emergencies and disasters, every penny of it. That is why they have not put one penny of the surplus into a Medicare lockbox, because they really want to spend that money two, three, or four times. They say to the Medicare people who are interested in Medicare, ''We have that $100 billion. It will go for Medicare.'' They say to those who are concerned about disasters, ''We have funded that. We have this hundred billion we have not spent. It's available for disasters and emergencies.'' They say to anybody else, ''Your money is in that pot of $100 billion.''

Surprise, surprise, there are going to be an awful lot of people lining up for that $100 billion who will find there is nothing there for them because the money has all gone for disasters and emergencies. That is really what it is reserved for. There is really not a penny of surplus that is lockboxed for Medicare—not a dime.

Mr. President, this amendment is an attempt to protect Social Security, to protect Medicare, to allow us to get ready for the challenge we face. We all understand Medicare is under enormous pressure. Social Security is under enormous pressure. Both of them need to be addressed. This is our opportunity.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I think Senator JUDD GREGG wants to speak about the amendment we set aside, and I yield him time for that at this point.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. GREGG. Mr. President, I congratulate the Senator from New Mexico for this excellent bill. I think he has done a superb job of putting together a budget which is responsible and appropriates for the future of this country.

As long as we are on the subject, I also wanted to comment a little bit about the proposal of the Senator from North Dakota, because he keeps comparing some sort of lockbox concept on Medicare with the Social Security lockbox which is in our budget, which is in the Republican budget. You really cannot compare the two. You are comparing apples and oranges.

The Social Security lockbox that the Senator from New Mexico has created, along with the Senator from Michigan, Mr. ABRAHAM, is a real lockbox. It takes money which is being raised from the wage earner today under the FICA tax, the Social Security tax, and which is creating a surplus in the Social Security fund, and it keeps that money to benefit the Social Security fund. That is a very important point, because there is no money being proposed by the other side that comes from the Medicare fund which would be locked up and protected for Medicare.

What the other side is suggesting is that the Medicare trust fund should dip into the general fund, which, for Part A, is not traditionally done. And then we should take money from the general fund and transfer it over to support the Medicare trust fund. This is a whole new concept. It is an invasion of the general fund. It is a use of general tax revenues to support Medicare, Part A. That is the practical impact of the proposal of the other side.

If the other side really wanted to address Medicare, if it wanted to address it within the context of the revenue being raised by Medicare, if it wanted to have people who are paying Medicare premiums covered by Medicare, have those premiums fully ensure them, then the other side would have agreed with the Commission that was chaired by a Senator from the other side, Senator BREAUX. Because that Commission put forward a proposal which the majority of that Commission supported, including two of the Democratic Senators, which essentially put in place a structure to assure the solvency of Medicare. It was a good proposal. Yet when that proposal came forward, the rug was pulled out from under the chairman of that Commission, who was a Democrat, and the other members of that Commission, who had worked so hard to put together the proposal. A legitimate way of resolving the Medicare problem was essentially walked away from by the administration and by the other side of the aisle.

Now they come forward with this crocodile-tear approach relative to Medicare, which is exactly what it is. If they cared about Medicare, they would have supported the President's Commission. They would have supported the proposal from the President's Commission, and they didn't. They refused to do that. They certainly wouldn't be taking general funds to subsidize the Medicare Part A, which is what they are proposing under this. There is absolutely no comparison between what the Senator from New Mexico has done in absolutely protecting the Social Security trust fund under the lockbox, protecting FICA money to be used for Social Security, as compared with what is being proposed here by the Senator from North Dakota, which is to take general funds to support Medicare.

The PRESIDING OFFICER. The Senate will please come to order.

Mr. GREGG. If you wanted to help Medicare, if you wanted to make it solvent, you would have supported the proposals that came out of that Commission, the majority of that Commission.

There is another point to make here. That is this: You have to look at what was actually proposed by the President to see whether or not there was a sincere effort to address this issue or whether there was a political effort to address this issue. On the issue of Social Security, the President's budget, as it was sent to us, would have spent $158 billion of Social Security funds for general operations of the Government. It would have invaded the surplus of Social Security to the extent of $158 billion. Senator DOMENICI and Senator ABRAHAM's proposal does not allow that to happen. They say the Social Security surplus shall be sacred; it shall be used for senior citizens.

They do not say, as the President has said and as the other side has said, if they are supporting the President's proposal, that the Social Security fund is only sacred to the extent that we want it to be sacred, but if we have some special program, whether it is building schools or spending money on defense or, I guess in the case of AL GORE, trying to correct the traffic problems in D.C., we are going to invade the Social Security fund to do that.

Specifically, they were going to invade the Social Security fund to the extent of $158 billion.

So there is an issue of truth in budgeting here that has to be addressed. Our budget honestly saves the Social Security fund. Their budget didn't save the Social Security fund at all. In fact, it invaded the fund for the purposes of operating the general Government. So there is a lack of consistency, as there is a lack of consistency on this Medicare hyperbole we are hearing from the other side, which is that they want to use the general fund to fund Medicare.

I originally rose to address, however, the amendment by Senator ASHCROFT, which I think is an extraordinarily

good amendment. It addresses another element of the President's proposal on Social Security, which is that the Federal Government should become the shepherd of the marketplace, that we should essentially have a reverse nationalization or take the Federal trust funds of Social Security and nationalize the capital markets of this country by having the trustees of the Social Security trust fund invest in the capital markets, in the equity markets, and control those investments as a block.

This is a really terrible idea. I mean, bad ideas come through this place occasionally; really, too often bad ideas come through this place. But when a really bad idea comes through this place, everybody should be concerned. You don't have to listen to me to see what a bad idea this is. All you have do is listen to Chairman Greenspan, who says that this would basically pervert the marketplace, pervert the flow of capital, and would inevitably lead to a diminution of our ability as a nation to be more competitive.

Or, if you want to listen to some other group that maybe is more liberal leaning, listen to the Democratic leadership of the UAW and the major labor unions of this country.

This is their statement relative to the investment of Social Security trust funds surpluses:

> In particular, we are deeply troubled that stock market investments of the Social Security surpluses would result in public tax revenues being used to finance the construction of runaway steel mills in Thailand, apparel sweatshops in Malaysia, auto plants in New Mexico. . ..

The list goes on and on. They oppose that investment. Why do they oppose it? They oppose it because they do not want money of the trust fund being invested in stocks, which they deem to be undertaking political activity that is inappropriate. That is the whole reason not to do it, of course. They are making the case for why we should not have public investment in the stock market by the Social Security trustees.

The issue is this. If the Social Security trustees are going to invest and they are going to invest in the equity markets, they should do so in a manner which allows them to invest on the rate of return, not on the basis of some political issue. But the UAW and the USWA and the other labor unions are saying, no, any investment in companies that might be running a steel mill in Thailand or a sweatshop in Malaysia or an auto plant in Mexico or an electronics plants in China, that would be the wrong investment.

So we know exactly what is going to happen. The first time the Social Security trustees happen to invest in, let's say, a tobacco company, there is going to be a bunch of folks on this floor who are going to say: You cannot make that investment, Mr. Social Security trustee. You have got to abandon that investment. You have to let go of that investment no matter what the rate of return is.

So investments aren't going to be made on the basis of what the rate of return is. They are not going to be made for the best interests of retirees. They are going to be made for the best interests of what happens to be the political fad at the moment. That, of course, is why everyone agrees, except for the President and those who support his plan, that this is a really terrible idea. This is one of those really bad ideas that comes through here every so often and should be killed.

Of course, the Ashcroft amendment accomplishes that or at least makes a statement to that effect, that we should not go forward.

If you don't think this is a problem, think about the size of the amount of money that may be invested here. By the year 2035, you are talking about a $2.1 trillion investment, which would be controlled by the Social Security trustees; that investment being in private equities. This isn't the whole trust fund. This is just the percentage of the trust fund which would actually be invested in the private markets—$2.16 trillion. That is a huge function. Think of the impact that would have on the market if suddenly the Senate said: Well, Social Security trustees, you cannot invest in autos, because we are upset about the automobiles because of emissions; you cannot invest in some sort of food product, because we are upset that there may be a tainted food; you cannot invest in some activity involving electronics, because maybe there is a competition issue, such as Microsoft, you can't put any money in Microsoft.

What a perversion of the marketplace it would be if you had that amount of money being invested on the basis of political events. Yet we know that is what is going to happen, because we have already been told by the unions that they are going to make that case. If this ever occurs, they are going to argue that you shouldn't be able to invest that way. They are going to pick different companies that shouldn't be invested in.

As a practical matter, the opportunity for creating chaos in our capital markets is huge, if we go down the President's route of allowing the Social Security trustees to control the investment, to control the investment decisions as a unit, as a block. That is why those of us have been supporting—and this is on both sides of the aisle—personal accounts, which give individuals that decision, versus the Social Security trustees that decision. It makes so much more sense.

Yes, we should have some sort of investment of the Social Security trust funds in equities. Why? Because if you happen to be 25 years old today and you are working and you are paying FICA taxes, which happen to be very, very high taxes, you are never going to recover the amount of money you pay into the Social Security trust fund. This is especially true if you are an African American. Why? Because the rate of return on those taxes that you are paying is extraordinarily low because, unfortunately, the benefit structure is so high and the generation that is about to retire is so large that they are going to take all that money before you can get there to retire. So your rate of return represents basically a negative rate of return, if you about 20 to 25 years old. If you happen to be 25 to 35 years old, it is about 1.1 percent. If you are 35 to 45 years old, it is about 2.5 percent. Terrible rates of return.

We do need to invest the Social Security trust fund in something other than what it is presently being invested in so that we can get a better rate of return. What is the logical place to do it? It is to put it in equity markets. But how you do it is the key. You cannot do it by giving that control over that investment to the Social Security trustees, because then you create an incentive for a perversion of the marketplace by having the market adjusted by whatever happens to be the local political fad at the time. Rather, you have to give control over the investment decision and ownership, most importantly over the asset, to the retiree, so that when you pay your taxes in FICA, you know that some percentage of those taxes—you are actually going to own that retirement benefit. If you die before you turn 60, your estate will get that benefit, and during your lifetime, you are going to be able to make the decisions on how that benefit is invested so that the investments get the best return for you, not the political return for some labor union or some fad of the moment.

This proposal by Senator ASHCROFT is an excellent one. It is only a sense of the Senate, but I think it is a shot across the bow of an element of the President's proposal on Social Security that needs to be made, and I strongly support it. I hope it will receive strong support in the Senate.

I yield the floor.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I want to finish the unanimous consent request. I was interrupted because it had not been cleared.

UNANIMOUS-CONSENT AGREEMENT

I ask unanimous consent that the votes occur on, or in relation to, the following four first-degree amendments at the conclusion, or yielding back, of time, and that no second-degree amendments be in order prior to the conclusion of the votes: Ashcroft amendment No. 145; Conrad amendment No. 147 regarding Social Security; a Bond amendment regarding the President's budget; and a Kennedy amendment regarding Medicare.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, I am not sure when we will vote on that. I

am going to have to leave for a little while. Senator KENNEDY has not argued and we have not responded, and I have not responded yet to Senator CONRAD. Of course, Senator BOND wants to talk about the President's budget and let us have a vote on it.

Mr. MOYNIHAN. And the Senator from New York.

Mr. DOMENICI. And the distinguished Senator from New York wants to speak.

Mr. KENNEDY. I had a chance to talk about some of the matters during the course of the afternoon, so I will be glad to work out a reasonable time with the floor manager.

Mr. DOMENICI. Mr. President, maybe we can just start and take a little—I say to Senator BOND, how much time does the Senator think he needs? I do not want to limit you.

Mr. BOND. Mr. President, if I may respond, my initial presentation will not be over 12 to 15 minutes, at the most. When we had debate on this in the committee, a number of others wanted to join in. I do not know whether there will be others who want to join either on my side or the other side. But to answer the chairman's question, I personally need only about 15 minutes.

Mr. DOMENICI. Does anybody on the Democratic side have an idea of how long they would want to speak?

Mr. MOYNIHAN. Five minutes.

Mr. DOMENICI. We will get to you in a minute. We will give you time to speak in favor of the Conrad amendment.

Mr. MOYNIHAN. Five minutes.

Mr. DOMENICI. In opposition to the President's budget, does anybody have any idea how much time? Fifteen minutes? A total of 30 minutes on the President's budget sounds about right.

Mr. KENNEDY. Twenty minutes.

Mr. DOMENICI. Senator KENNEDY wants 20 minutes. Why don't we just say if you take 20, we will allocate 20.

Mr. President, I say to Senator CONRAD, is he finished? Does he want more time?

Mr. CONRAD. Yes, I would like more time after I hear the argument of the distinguished chairman.

Mr. DOMENICI. Senator MOYNIHAN wants 5 minutes on the Conrad amendment; right?

Mr. MOYNIHAN. Yes.

Mr. REED. Less than 10—10 will be fine, but I will try to be quicker.

Mr. DOMENICI. Did the Senator say 5 is enough or 10?

Mr. REED. Ten.

Mr. DOMENICI. I am trying to see if we can start voting by 6:30. That will help some of our Senators, and I am sure it will help Senators on the other side.

Mr. GRAMM. Some of us need time to respond to the Conrad amendment.

Mr. DOMENICI. Adding up all this, it seems to me we need collectively among us 1 hour 45 minutes, which could put us in a position to start voting at a quarter of 7. Can we set that as the time that we are going to start voting on these amendments in the order we have already agreed, and we will allocate the time as per the discussion here?

Mr. CONRAD addressed the Chair.

The PRESIDING OFFICER. Does the Senator from New Mexico yield the floor?

Mr. DOMENICI. I will be pleased to yield.

Mr. CONRAD. I want to make sure we have an equivalent amount of time on both sides. I don't know what you have taken down in terms of response on the Conrad amendment, but we want to make certain we have an equivalent amount of time on our side to answer.

Mr. DOMENICI. Mr. President, the only thing is, the Senator has had a long time to already talk, and we have not had any time to talk.

Mr. CONRAD. I understand. But now we are in a unanimous consent posture, and if we are going to do that, to get unanimous-consent we are going to have to have an equivalent amount of time or there will not be a unanimous-consent agreement.

Mr. DOMENICI. I cannot set the time, then. What I will ask—we all understand most of the players are here—why don't we do it this way: The managers, respectively, can allocate the time, as per this understanding, to each Senator rather than entering into a consent agreement that binds us at this point. I think we are pretty close to having enough time.

Mr. CONRAD. We will be ready to vote, then, at approximately 7 o'clock.

Mr. DOMENICI. Approximately, but I don't know that we want to set that at this point. Approximately, the word should go out.

Mr. CONRAD. Fair enough.

Mr. DOMENICI. Mr. President, I ask unanimous consent that Senator FITZGERALD be added as a cosponsor to the Abraham amendment, which we agreed to earlier. I mistakenly did not ask for that, and I should have.

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

Mr. DOMENICI. I will indicate that when I return I want to argue a few moments with reference to the Conrad amendment, but in the meantime, what I am going to do is ask Senator GRAMM if he will manage the bill for me. He has been here, so he can just as well accomplish what I have. That means at this point, we will recognize Senator BOND and set aside the previous amendments, as per the understanding we had heretofore.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Missouri is recognized.

Mr. BOND. I thank the Chair, and I thank my distinguished chairman.

Mr. CONRAD. May I intercede with a parliamentary inquiry?

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. What is the pending business before the Senate?

The PRESIDING OFFICER. The Conrad amendment was debated and has been set aside.

Mr. CONRAD. How did the Conrad amendment get set aside?

Mr. DOMENICI. It was set aside by consent.

The PRESIDING OFFICER. The Conrad amendment was set aside by unanimous-consent.

Mr. CONRAD. There was not consent on this side for setting aside the Conrad amendment.

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, as I understand the discussion that Senator DOMENICI just had, the target was to try to finish all of these amendments at 6:30. Obviously, since we are going back and forth and sharing the time, the Senator, and anyone else, can debate his amendment.

The objective was and the unanimous-consent request which was agreed to, as I understand, was that between now and 6:30, we would have these amendments offered, but you can debate your amendment at any point and anyone on your side can debate it, and Senator DOMENICI and I will debate it. We have been setting aside amendments to stack them, and that, I understand from the Chair, is where we are. No one is trying to preclude the Senator from debating his amendment.

Mr. LAUTENBERG. There is apparently a misunderstanding on a UC for a 6:30 deadline.

The PRESIDING OFFICER. There is not an agreement.

Mr. LAUTENBERG. None exists.

Mr. GRAMM. That was the target that was set.

Mr. CONRAD. If I might just state, there was not consent granted to go off the Conrad amendment, and the reason consent was not granted is we have two Senators who have been here for a considerable amount of time waiting to talk about the Conrad amendment. We allowed the other side to speak to their pending amendments. I twice gave consent for the other side to argue the amendment of Senator ASHCROFT, and then it returned to a discussion on the Conrad amendment.

I think it is only fair that those Members who are here be given a chance to address the Conrad amendment. They were here for that purpose, and then we go to the Bond amendment, which is on a different matter and is a different amendment. So I ask, in fairness, that those Senators who are here, specifically Senator REED of Rhode Island, and the Senator from New York, be given an opportunity to discuss the Conrad amendment which is the pending business. I did not give consent to going off my amendment to go to the next amendment.

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, we want to do everything we can to satisfy every Member. No one is trying to deny the distinguished Senator the right to debate his amendment. But it is my

understanding that there was a unanimous consent request, and that it was granted, so that we could set the amendment aside and offer these other amendments so that they would all be pending simultaneously and that we would have the vote at approximately 6:45. No one agreed to the specific time, but the general principle was largely agreed to.

On that basis, it is my understanding that Senator BOND has been recognized. If that is not the case, if the Chair could give us a ruling. We want to follow the regular order. And no one is trying to be unfair in any way.

The PRESIDING OFFICER. The Conrad amendment was set aside, but a call for the regular order will bring it back.

AMENDMENT NO. 147

Mr. CONRAD. Mr. President, I call for the regular order.

The PRESIDING OFFICER. The clerk will report the CONRAD amendment.

The legislative clerk read as follows:

Amendment No. 147 previously proposed by the Senator from North Dakota [Mr. CONRAD].

Mr. CONRAD. Mr. President, I ask that Senator REED be recognized for 10 minutes to speak on the amendment.

The PRESIDING OFFICER. The Senator is recognized.

Mr. REED. Thank you, Mr. President.

I thank the Senator from North Dakota for yielding time to speak about his amendment, the essence of which is protecting both the Social Security trust fund and also the Medicare fund.

One of the deficiencies in the Republican budget before us today is a failure to seize a historic opportunity to strengthen the Medicare program in the United States. I argue it is not just an opportunity, but it is a necessity. This is the program that benefits countless Americans, it is the program that is strongly supported by all Americans and it is the program that is facing serious challenges, serious demographic challenges, serious structural challenges.

One thing we can do at this moment to ensure that we have the opportunity to effectively address the issue of Medicare is to, in fact, invest dollars into the Medicare program today. But, regretfully, the Republican budget proposal, rather than doing that, would reserve budget surpluses for tax cuts, denying us the opportunity today to strengthen the Medicare system.

We have come a long way since 1993 when we were looking each year at soaring annual deficits in the order of $300 billion or more. Today, we are facing a unified surplus. With that unified surplus, we can do many things. But I believe one of the principal things we must do is strengthen both the Social Security system and the Medicare system. Senator CONRAD's amendment goes a long way toward achieving that goal.

Because of our prudent fiscal decisions over the last 6 years, we have seen a growing economy. We have seen growing prosperity. All of this is contributing to a future, we anticipate, of unified budget surpluses. Simply to step back now and say the work is done, now we can simply initiate tax cuts, misses the point. And that point is, we have to protect, we have to ensure the longevity, the stability, the predictability of the Social Security system and the Medicare system.

Now, of the two, the Medicare system faces the most immediate threat. By the year 2008, the trust funds are projected to become insolvent. This is a situation that requires immediate action. The most prudent thing to do is to reserve the resources to meet this impending situation of insolvency. There are, as I said before, millions of Americans who depend upon it, and not just those direct beneficiaries.

We have come—all of us have come—to a sense of appreciation and, in fact, consideration that if any of our relatives, our mothers, our fathers, our aunts or uncles, would be sick, they would have the Medicare system to fall back on. That allows young families the freedom to know that the health care of their parents will be protected. It gives them the freedom to concentrate on their own needs and the needs of their children. So this is not just a situation with respect to seniors; this is a situation that affects all Americans.

We tried in the Balanced Budget Act of 1997 to make changes to prolong longevity of the Medicare trust fund. Today, we are beginning to realize that some of these changes have created negative consequences. In fact, we are looking to make some adjustments so that we can guarantee quality health care for all of our seniors.

We have come to know that we have to make structural changes in Medicare, but it has to be done carefully and thoughtfully. We have also come to appreciate, I hope, that we must have the resources available, because the health care needs of seniors are not going to go away. In fairness, and in keeping faith with seniors, we have to make sure those resources are available.

We will have to make hard choices about the structure of the Medicare program. But these choices will be infinitely more difficult if we take the path that is suggested by the budget resolution, that is, if we deny additional resources to the Medicare program.

I argue that in order to keep the faith of our seniors and our whole population, we have to make sure that we use the projected surplus to strengthen the Medicare system, and that the idea of using the surplus to finance tax cuts, while we face an impending crisis in Medicare, is the wrong policy. We have to, as I said before, ensure that we have the resources to confront the situation we face. And the situation we face, frankly, is one where the demands on Medicare will increase. We know that. Part of it is as a result of demographics.

Today, 39 million Americans are beneficiaries in the Medicare program. But by the year 2032, 78 million Americans will be eligible for Medicare. In terms of the sheer volume of new beneficiaries, we have to start reserving sufficient funds to meet their needs now. Not to do that, and to dissipate those funds through tax cuts, I think, might provide momentary benefits, but in the long run we will regret this.

We have to also recognize the fact that seniors will live longer, probably 6 years longer than they have in the past, so that the issues of health care for seniors will not get smaller in the future; they will become more and more important.

For all of these reasons, it is important today to recognize that we must maintain the strength and the resources for the Medicare program. That is why the amendments we are debating today, to a degree Senator CONRAD's, in some respects Senator KENNEDY's amendment, go to the simple truth: We have, through very difficult decisions over the last several years, reached a situation where we have a unified budget surplus. The question is whether we will take that surplus and strengthen Medicare, make it available for the next generation of Americans, and give us the opportunity to make structural changes, not out of dire necessity but because it will provide additional strength to the Medicare program. Or we will take these resources and dissipate them through tax cuts, which will not strengthen the Medicare system. In fact, when the system develops increased stresses and strains in the future, the budget resolution will leave us without the resources to step into the breach and do what we must do—keep the promise to our seniors, keep the promise to those who have relied upon and continue to rely upon Medicare.

So I urge careful consideration of these amendments. I hope, at the end of the day, we will have a budget that recognizes the opportunity and the necessity to invest in Medicare today so that it is there tomorrow for all of our citizens.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. GRAMM. Mr. President, normally we would go back and forth, but Senator MOYNIHAN is here and doesn't have a lengthy statement. As a courtesy to him I want to allow him to speak now and then have the rotation come back to me.

Mr. MOYNIHAN. I thank my good friend from Texas.

Mr. President, I rise in support of the amendment of my friend from North Dakota, Senator CONRAD. He proposes a budget point of order against the use of the Social Security surplus for new spending or tax cuts. He would also devote 15 percent of the unified surplus to Medicare.

There is broad agreement in the Senate that the Social Security surplus must be protected. Senator CONRAD's approach, in my view, is the right one, unlike a competing proposal under discussion. That proposal would create a new declining debt ceiling on debt held by the public. Inadvertently, but inevitably, it would jeopardize the credit of the United States by hampering the ability of the Treasury to meet the obligations of the Government, absent any financial crisis, but merely as a mechanical result of a bill.

Happily, our colleagues on the other side of the aisle have not brought the proposal to the floor yet, but the budget resolution includes ''advisory levels'' for such a new debt limit, and the Committee Report states that ''it is assumed that separate and apart from the budget resolution a statute will be enacted to enforce these levels.''

A simple explanation: We are going to buy down the debt. It is entirely correct that we should do so. However, anything can happen—a drought to the Midwest, a correction in the markets, a rise in the price of imported oil. In such an event, the revenues of the Government, although growing, will not have grown quite fast enough to have the debt being retired drop to the required level. In that circumstance, that perfectly prosperous economy, perfectly stable government, could find itself in default.

We have shut down the U.S. Government any number of times in the course of our history. We have never defaulted on our debt. It is the most secure instrument in the world. There is no reason whatever to put it in jeopardy at a time when we are making it even more secure by bringing the debt down to normal levels.

I hope we will not do that.

I ask unanimous consent that a letter from the Secretary of the Treasury be printed in the RECORD.

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

DEPARTMENT OF THE TREASURY,
WASHINGTON, DC,
March 17, 1999.

Hon. DANIEL PATRICK MOYNIHAN,
U.S. Senate,
Washington, DC.

DEAR PAT: Thank you for inquiring about the impact of the new debt limits contained in the Social Security Surplus Preservation Act. I appreciate the opportunity to respond to your question. In brief, I am deeply concerned that these limits could preclude the United States from meeting its future financial obligations to repay maturing debt and to honor payments—including benefit payments—and could also run the risk of worsening a future economic downturn.

It has been this Administration's view that fiscal restraint is best exercised through the tools of the budget process. Existing enforcement tools such as the pay-go rules and the discretionary spending limits in the Budget Enforcement Act have been key elements in maintaining fiscal discipline in the 1990's. Debt limits should not be used as an additional means of imposing restraint. Debt is incurred solely to pay expenditures that have previously been authorized by the Congress and for the investment of the Federal trust funds. By the time the debt limit is reached, the Government is obligated to make payments and must have enough money to do so.

If Treasury were prohibited from issuing any new debt to honor the Government's obligations, there could be permanent damage to our credit standing. The debt obligations of the United States are recognized as having the least credit risk of any investment in the world. That credit standing is a precious asset of the American people. Even the appearance of a risk that the United States of America might not meet its obligations because of the absence of necessary debt authority would be likely to impose significant additional costs on American taxpayers. Yet, in November 1995, a debt crisis was precipitated when Government borrowing reached the debt limit and in January Moody's credit rating service placed Treasury securities on review for possible downgrade.

As you know, there is currently a statutory limit on the amount of money that Treasury can borrow in total from both the public and from Federal trust funds. The proposed ''lockbox'' provision would add a new statutory limit on debt to the public.

The proposed new debt limit runs the risk of precipitating additional debt crises in the future. Although the proposal adjusts the debt ceiling for discrepancies between the actual and projected Social Security surpluses, it does not make similar corrections for unanticipated developments on the non-Social Security side of the budget. While our forecasts have been conservative, the current forecast of the non-Social Security budget could prove too optimistic because of changes in the economy, demographics, or countless other factors. This could cause the publicly held debt to exceed the new debt limit.

Furthermore, even if the debt limit appears sufficient because it covers the annual debt level—measured from end-of-year to end-of-year—it could easily be inadequate for the Government to meet its obligations at a given point during the year. Under normal circumstances, every business day, Treasury makes payments—including Social Security payments on certain days. In any given week, Treasury receives revenues, makes payments, and refinances maturing debt. Weekly and monthly swings in cash flow can easily exceed on-hand cash balances. When this occurs, Treasury then borrows from the public to meet its obligations. If the amount of publicly held debt were to reach the level of the debt limit—or if the debt limit were to decline to below the level of publicly held debt—Treasury could be precluded from borrowing additional amounts from the public. If Treasury could not borrow to raise cash, it is possible that it could simply have to stop honoring any payments—including Social Security payments.

In this case, Treasury could be prohibited from issuing any new debt to redeem maturing debt. Every Thursday, approximately $20–23 billion of weekly Treasury bills mature and, every month, an additional $60–85 billion in debt matures. These securities must either be paid off in cash or refinanced by issuing new debt. Treasury could be put in the position of having to default for the first time on our nation's history.

Congress could defuse the debt limit problems by immediately voting to raise the debt ceiling. Under the ''lockbox'' proposal, however, it would take sixty votes in the Senate to do so. As past experience indicates, obtaining a super-majority for this purpose is often time-consuming and difficult. Moreover, this requirement would greatly enhance the power of a determined minority to use the debt limit to impose their views on unrelated issues.

Finally, the proposed debt limits could run the risk of worsening an economic downturn. If the economy were to slow unexpectedly, the budget balance would worsen. Absent a super-majority vote to raise the debt limit, Congress would need to reduce other spending or raise taxes. Either cutting spending or raising taxes in a slowing economy could aggravate the economic slowdown and substantially raise the risk of a significant recession. And even those measures would not guarantee that the debt limit would be not be exceeded. A deepening recession would add further to revenue losses and increases in outlays. The tax increases and spending cuts could turn out to be inadequate to satisfy all existing payment obligations and keep the debt under the limit, worsening a crisis.

To summarize, these new debt limits could create uncertainty about the Federal government's ability to honor its further obligations and should not be used as a instrument of fiscal policy. While we certainly share the goal of preserving Social Security, this legislation does nothing to extend the solvency of the Social Security trust funds, while potentially threatening the ability to make Social Security payments to millions of Americans. I will recommend that the President veto the bill if it contains the debt limit provisions. If you have any additional questions, please do not hesitate to contract me.

Sincerely,

ROBERT E. RUBIN.

Mr. GRAMM. Mr. President, I want to speak on the pending amendment by Senator CONRAD, and then I understand the distinguished ranking member of the Budget Committee wants to speak on the Conrad amendment. Then we will set the Conrad amendment aside, if there is no objection, and yield to Senator BOND, who will offer his amendment. If anyone wants to give an immediate response, they can. Then we will yield to Senator KENNEDY, let him offer his amendment. At that point, Senator DOMENICI will be back to speak on the Conrad amendment. If Senator CONRAD wants to respond, he can. Then we are at least at that point closing in on a vote of all these amendments. None of this is agreed to, but follows that general parameter. If no one objects to it, let me proceed.

Mr. BOND. Will the Senator yield?

Mr. GRAMM. I am happy to yield.

Mr. BOND. May I inquire of the Senator from Texas if there is immediate response or discussion of my amendment when we get around to it? Would it be possible to respond at that time?

Mr. GRAMM. Certainly.

Mr. BOND. Since we seem to be wanting to keep things in the same context, it would be appreciated.

Mr. GRAMM. Let me yield to Senator CONRAD and then I want to speak.

Mr. CONRAD. I just want to make clear that at the end of this discussion I want a chance to respond to any points that might have been raised in objection to the Conrad amendment before we go to another amendment.

Mr. GRAMM. The only problem will be that Senator DOMENICI wants to speak and he is not here. We are simply trying to accommodate everyone in terms of offering amendments and having a debate.

In any case, there are always limits to what we can do. We will do the best we can.

The PRESIDING OFFICER (Mr. ABRAHAM). There are time limits under the budget rules for discussion of amendments. If an amendment is set aside, that does not terminate the time that is still available.

Mr. GRAMM. How much time have we run off of the CONRAD amendment?

The PRESIDING OFFICER. Senator CONRAD has 28 minutes remaining on the amendment, and those who speak in opposition have 60 minutes remaining.

Mr. GRAMM. I certainly will not take 60 minutes.

Mr. President, in the Budget Committee we had a series of amendments and they all had a common theme: Do anything with the surplus except give it back to working Americans.

We had an amendment that said you could not give a tax cut until you had fixed Social Security for 75 years—that would be the year 2074, so you could not do a tax cut before the year 2074; you could not give a tax cut to working people until Medicare was fixed for a similar period. You could not give a tax cut until Jesus came back. You could not give a tax cut until Bosnia and Serbs and Bosnia and Croats routinely met, fell in love, got married and, like the lion and the lamb, lay down together.

When you listen to all this rhetoric and all these amendments, what they have in common is not all the things that have to happen before a tax cut, but what they have in common is our Democrat colleagues do not want working Americans to get any of the non-Social Security surplus back.

We find ourselves with the highest tax burden in American history. When you take Federal, State, and local taxes, 31 cents out of every dollar earned by every American goes to government and taxes. With the history of our country, such as at the peek of the war effort in World War II in 1944 when we had the largest defense spending in American history and the highest tax burden in American history prior to today, even with the highest tax rate in American history, our Democrat colleagues would say: ''Defer tax cuts until the year 2074, defer tax cuts until all the problems of the world are solved, defer tax cuts.''

The point is, they are not for letting working Americans keep some of the money that we are now taking from them above the level needed to pay the taxpayers' bills. Remember that every penny of the Social Security surplus by the pending budget will be set aside and locked away for Social Security. Now, this is the newest variant of this ''anything but tax cuts'' amendment. This variant says, ''Don't give the money to tax cuts; reduce the debt and then give an IOU to Medicare.''

I want to remind my colleagues that this doesn't provide a dime for Medicare.

Not one penny of this money can be spent under the budget. If we adopted this amendment, Medicare would not have one nickel that it doesn't have now. It would have an IOU from the Federal Government. But how would we pay the IOU? We would pay it by raising taxes, by cutting spending, by cutting Medicare, maybe, or by borrowing money from the general public. But nothing we do today in giving an IOU to Medicare provides any money for Medicare either today or in the future.

So this is not a real transfer of resources. When our dear colleague from Rhode Island on the Budget Committee says we need to give the resources to Medicare, no resources are given to Medicare in the budget of the United States. If you look at that budget, which has a $199 billion increase, the amendment offered by the distinguished Senator from North Dakota doesn't change one penny of spending for Medicare over this period. In fact, what the Senator from North Dakota is doing is not changing Medicare spending, not providing any new benefit, not paying any old bill; he is simply giving Medicare an IOU.

Now, what is the net product of this IOU? That is the point I want to get to. The net product of this IOU is not more money for Medicare; the net product of this IOU is that in the year 2009, Medicare insolvency will occur unless we pass a reform bill, like the Breaux reform, which I strongly support and supported as a member of the bipartisan Medicare Commission. Unless we do something that is a real reform, in the year 2009 we are going to have to raise payroll taxes, or raise general taxes, or we are going to have to cut spending, or we are going to have to borrow money, whether or not we give an IOU to Medicare. Nothing in the Senator's amendment changes the amount of money that is available in the 10-year budget for Medicare.

But what is changed by the amendment? Medicare is no better off, no worse off; it has an IOU. We already have many IOUs to Medicare because of our commitment to the program. It is probably the second most popular program in American history and one to which we are all committed. Nothing changes for Medicare. No new resources are available to Medicare. No hard choices are avoided in Medicare. But what is changed? Well, what is changed is that this amendment will reduce the amount of money that is available for tax cuts by $320 billion. That is what this amendment is about. The actual change in the budget as a result of this amendment is to reduce the amount of money that is available for tax cuts.

So what are we doing here? This is an amendment that has only one substantive effect; that is, it reduces our ability to eliminate the marriage penalty. Americans meet and fall in love and get married, only to discover that they pay the Federal Government, on average, $1,400 a year for the right to be married. Knowing the Presiding Officer's wife, I know she is worth $1,400 a year, but I believe—and so does the Presiding Officer—that she ought to get the $1,400, not the Federal Government. In fact, I know the wife of the distinguished Senator from North Dakota, and I know she is worth $1,400 a year, and we want her to have the money. We don't understand why the Senator from North Dakota doesn't think she ought to have it instead of the Government. In any case, that is a matter of personal choice.

The point is, what we are doing here does nothing for Medicare, but it affects our ability to repeal the marriage penalty. There are many people who believe it is not right to force farmers and ranchers to sell the farm and sell the ranch when papa dies. He spent his whole life building up the farm or the ranch and put every penny of after-tax money he ever had into the farm or ranch. When he dies, the children have to sell the farm or ranch to give the Federal Government 55 cents out of every dollar. We want to end that.

The amendment of the Senator from North Dakota doesn't help Medicare a bit, but it takes away from our ability to exempt farms and ranches from this confiscatory death duty and exempts small businesses from this confiscatory death duty. We believe we ought to have an across-the-board tax cut.

Now, we know many of our Democrat colleagues don't believe we should have an across-the-board tax cut, and they very quickly point out, well, with an across-the-board tax cut, some people don't get a tax cut. That is true. But across-the-board tax cuts are for people who pay taxes. So everybody who pays taxes would get an across-the-board tax cut, and people who pay a lot of taxes would get 10 percent of that back. People who pay a little would get 10 percent of that back, and they would both be happy to have it back.

Now, what the Senator from North Dakota is saying is that he would rather not repeal the marriage penalty, or repeal or reduce the inheritance tax, or have a tax cut across the board, or any of the many other ways we could give this money back, because he would rather it not go back to the taxpayers. So the net effect of this amendment is that it doesn't change Medicare, doesn't change a single spending figure over the 10-year budget; it gives Medicare a meaningless IOU, basically. But what is changed, what is substantive, is that it lessens our ability to reduce the tax burden for working Americans by $320 billion.

Let me make one final point on this. Let me give you the advantage of giving some of this non-Social Security surplus back to taxpayers rather than having the Government keep it and ultimately spend it. We all remember last year when President Clinton stood at the rostrum of the House and said:

> Social Security first. Every penny of this surplus will go to Social Security. I won't allow it to go on tax cuts, I won't allow it to be spent.

Yet, the President, as a tribute for adjourning, required that $21 billion of it be spent. Every penny of it came right out of Social Security. So if we don't give this non-Social Security surplus back—or at least part of it—to workers, we are going to end up squandering it; we are going to end up spending it.

Now, the advantage of giving it back is, first, it is their money to begin with. This money came from the working people. The economy is doing better because they are working and saving and investing more. Why should they not get some of the benefit—in fact, a very small percentage under our budget?

Another thing is important. If we need the money back, we can take it back. But if you spend it on a bunch of new programs creating a bunch of new constituencies, it is gone; you will never get it back. How many Government programs have we ever eliminated in American history? Virtually none.

So I just want to urge my colleagues, when they listen to the debate on this amendment, to remember that these amendments aren't about denying a tax cut until 2074 to save Social Security, or put off a tax cut until Medicare's problems are forever solved, or to wait until the second coming and let Jesus worry about it, or to wait until world peace is enshrined. That is not what these amendments are about. These amendments are about some of us not wanting to give people a tax cut. That is what it is about.

So if you think that out of the massive surpluses we are projected to have over the next 10 years, giving a modest tax cut to working Americans in things like repealing the marriage penalty, reducing or repealing the death tax, and giving a little across-the-board tax cut to everybody—if you think workers deserve some of the benefits of the good economy and the impact it has had on taxes, rather than giving every penny of it to the Government, then you want to vote no on this amendment, and you want to vote no on a whole series of amendments, each of which is going to be tied to some other issue, like research to prevent meteorites from causing tidal waves or destroying New York City—or it will go on and on and on. But the bottom line is, this is about tax cuts.

And our colleagues are desperate. They want to spend the money. They want to do everything with the money except give a little of it back. That is where we have a disagreement.

Do not be confused. This doesn't have anything to do with Medicare. Nothing in this amendment in any way provides another nickel to pay Medicare benefits. Nothing in this amendment changes the Medicare numbers in this budget at all. This simply reduces debt; God's work, if it really happened. But what it does is give a meaningless IOU to Medicare. We already have written Medicare so many IOUs that we will never pay back the ones we have written. If you want to, give them a cigar box full. And, if it makes you feel better, great. But still, it is a promise to pay money. It is not money.

So I hope our colleagues will reject this amendment and realize it is not about Medicare. It is not about Social Security. It is not about meteorites. It is not about the second coming. It is about taxes. Some people are against them. Other people are for them.

That is what the vote will be about.

I reserve the remainder of our time.

Mr. CONRAD addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. LAUTENBERG. Mr. President, I will yield such time as the Senator from North Dakota needs.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. I thank the Chair.

I have been delighted at hearing the description of my amendment by the Senator from Texas. He has probably the greatest imagination in the Chamber. Unfortunately, his imagination has been working overtime, because his description of my amendment has virtually nothing to do with my amendment. The Senator from Texas suggests that my amendment is to prevent a tax cut. That is not the purpose of my amendment. My amendment is very clear. My amendment provides a lockbox that reserves every penny of the Social Security surplus for Social Security. It then goes to the next step and reserves 40 percent of the non-Social Security surplus for Medicare because Medicare is in imminent danger.

I point out that the Senator from Texas knew that last year. I don't know what happened in the last year that has caused him to forget it. But here is what he said last year. What a difference a year makes. He said:

> . . . [w]hat would we do if we had a half a trillion dollars to spend?

He said then:

> The obvious answer that cries out is Medicare.
>
> . . . I think it is logical. People understood the President on save Social Security first and I think they will understand save Medicare first.
>
> . . . Medicare is in crisis. We want to save Medicare first.

The Senator from Texas said that last year. This year, the budget that he is advocating doesn't save one penny of the surplus for Medicare. That is where the difference lies. He wants all of the non-Social Security surplus to go for an across-the-board tax cut.

Where does that go? Guess where that goes. That goes to the richest among us. Here is what the top 1 percent gets in his proposal. They get $20,000 of tax cut. What happens to the bottom 60 percent? They get on average $99.

Maybe that is why now the Senator from Texas doesn't want to lock up and protect one penny of surplus for Medicare, because he wants to send it back not to Dicky Flatts. He wants to send it back to Dicky Flatts' wealthy friends, 20,000 bucks apiece to them; $99 to the rest of the people. The vast majority of the people, the top 1 percent, get $20,000. The bottom 60 percent get $99 on average.

Mr. President, the Senator from Texas suggests there is no money available for a tax cut under the Conrad amendment. That is not my amendment.

That is a great speech. It is a great political argument. The only problem with it is that it is not true. It doesn't have anything to do with my amendment.

Let's be honest. Let's be honest. What does the Conrad amendment do with the surplus over the next 10 years? Over the next 10 years the surplus is $2.6 trillion. Under my amendment, the $1.8 trillion that comes from Social Security would be reserved for Social Security.

Second, another $376 billion would be reserved to strengthen Medicare.

Interestingly enough, last year the Senator from Texas said what happens if you have a windfall? The first priority ought to be Medicare. This year, he doesn't want to provide one thin dime out of the surplus for Medicare. He wants it all to go to a tax cut, an across-the-board tax cut that has this result. I don't think that is the priority of the American people to give a $20,000 tax cut to folks who are in the top 1 percent, people who have an average income of $833,000. I don't think that is a priority of the American people. Not one dime of surplus for Medicare, but provide it all to a tax cut for people who earn $833,000, give them $20,000, when Medicare is the program that is in the deepest trouble. What sense does that make? Let's go back to what the Conrad amendment provides, because the Senator from Texas talks about an amendment that is not the amendment that is before the body. It doesn't prevent tax relief. It doesn't prevent correcting the marriage penalty. The Senator from Texas knows better.

The amendment that I have offered offers of the $2.6 trillion of surplus over the next 10 years $1.8 trillion that comes from the Social Security surplus which goes to Social Security; $376 billion goes to Medicare. That leaves nearly $400 billion that is available for tax relief and for domestic priorities like education and defense and health care and, yes, tax relief. In fact, you could easily accommodate taking care of the marriage penalty under my amendment. You could provide other forms of targeted tax relief under my amendment, because those are the priorities of the American people. Save Social Security, dedicate every penny of the Social Security surplus for Social Security, and then 40 percent of the non-Social Security surplus for Medicare, because it needs money, a need that the Senator from Texas himself recognized just a year ago. In addition to that, $400 billion available over

the next 10 years for high priority domestic needs like education and defense, and yes, money available for tax relief as well.

Mr. President, that is what this amendment provides, not the description given by the Senator from Texas that bore absolutely no relation to the amendment that is before us.

I thank the Chair.

Mr. KENNEDY. Mr. President, will the Senator yield for a question?

Mr. CONRAD. I would be happy to yield for a question.

Mr. KENNEDY. I know the time has moved along, so I will just take a moment. If I understand the Senator's amendment effectively, what will be the situation under your amendment with regard to the continued solvency of the Medicare system? As I understand it, besides strengthening Social Security, one of the purposes was to extend solvency of the Medicare system in order to permit time to consider sensible reforms. Will the Senator just tell me this: Under the Conrad amendment, what is the life expectancy of the Medicare system, and what would it be without the Conrad amendment under the budget resolution that is now before the Senate?

Mr. CONRAD. The Senator from Massachusetts asks a good question. The simple answer to the Senator is: By locking up additional funds for Medicare, we would be in a position at a later point, because we cannot do that in the context of the budget resolution, to extend the solvency of the Medicare system for at least another 12 years. That is the goal of this effort; to first lock it up and protect it so it cannot be diverted for some other purpose and then, when we get at a later point where we can make transfers which we are precluded from doing in a budget resolution, to then extend the solvency of the Medicare system. That is what this is all about: Protecting, strengthening Medicare, as well as strengthening Social Security.

Mr. KENNEDY. Is it the position of the Senator, when you have the extension of the Medicare system, that at that time there would be the opportunity to consider the kinds of other reforms that might continue the Medicare system even beyond the 2020 period?

Mr. CONRAD. That is exactly correct. As the Senator may know, as a member of the Finance Committee I have voted repeatedly to reform Medicare in order to further extend its solvency. But it is my conviction, and I think the failure of the Medicare Commission so indicates, the need is for additional resources into Medicare. We also need to reform that system. But without additional resources I do not believe we will succeed in extending the solvency of the Medicare system.

So, there is really a two-part test here, to reform the system and to provide additional resources. If we do not protect them, if we do not lock them up, I assure you, Senators like our colleague from Texas will take the money and he will send it back to those who are earning over $833,000 a year. He will send them a $20,000 check and we will find our grandparents and our parents, who are dependent on Medicare for their health care, are not going to have it. That is the choice before the body. That is the choice before the body.

Mr. KENNEDY. I have a final question, if I could, of the Senator. Would this, now, be the longest period of financial security for the Medicare system that we would have had since, actually, Medicare has been established? It is my understanding with the additional revenues we would effectively guarantee the financial security of the Medicare system for the longest period since the Medicare system has been established.

Mr. CONRAD. That is correct, because this would extend it at least another 12 years beyond 2008 to 2020. With the new projections that are coming in, I believe it will be extended even beyond that.

That is fundamentally the question and the choice before this body. What are we going to do with these surpluses? Our friends on the other side of the aisle say: Social Security and tax cuts. We are saying in this amendment: Yes, Social Security, every dime of Social Security surplus for Social Security. But then let's provide additional resources to strengthen and preserve Medicare. And then, yes, let's also have funds that are available for high-priority domestic needs like education and health care and, yes, defense. And also have resources to provide some tax relief. I put marriage penalty right at the top of the list. That is provided for in this amendment.

Mr. KENNEDY. May I just ask a final question of the Senator? I notice in the report itself, under ''Revenues'' on page 75, it states this in the third paragraph:

> The net tax cut in the Committee-reported resolution can accommodate a substantial tax cut package (the contents of which will be determined by the tax-writing committees), which may include across-the-board cuts in tax rates. . . .

The sentence does continue and list others, but it lists, No. 1, across-the-board tax cuts. Is that the kind of tax cut, if we were moving in that direction, the Senator believes would be the fairest to working families and to small farmers and the smaller business men and women of this country?

Mr. CONRAD. I do not think it would be the fairest. In fact, if you have a 10 percent across-the-board cut, the results are what I have shown here. For the top 1 percent, those whose income is over $800,000 a year, they get $20,000. The bottom 60 percent get, on average, relief of $99.

Mr. LAUTENBERG addressed the Chair.

Mr. CONRAD. I am happy to yield to the ranking member.

Mr. LAUTENBERG. We are not surprised by incomes that exceed $1 million, $5 million, $10 million—some of the top corporate executives in this country, some of the athletes, some of the people in entertainment. So if someone earned $10 million in a year and the tax rate was 39.6 percent for income tax, and if there was roughly a 4-percent decline in that, so that person then would have—if they earned $10 million, they would get $400,000 in tax relief? Is that the way the calculation is, as you see it?

Mr. CONRAD. That is roughly the calculation. It is hard to see that as fair.

Mr. LAUTENBERG. I think Michael Eisner in 1 year earned $50 million. He might get a couple of million in tax relief. Is that not right?

Mr. CONRAD. That is correct.

Mr. LAUTENBERG. Would this amendment cause us to have to wait 75 years before tax cuts could be put in place?

Mr. CONRAD. No. Absolutely not. As I indicated, we are protecting Social Security by reserving every penny of the Social Security surplus. We are also reserving a substantial part of the non-Social Security surplus for Medicare. But that which remains, which is about $400 billion over the next 10 years, is available for high-priority domestic needs including education, health care and defense, and for tax relief.

Mr. LAUTENBERG. So the thing that triggers this is whether or not we prepared Social Security and Medicare for its survival. That is the triggering mechanism that enables other things to be considered—tax cuts, targeted tax cuts or other programs to be exercised, is that right?

Mr. CONRAD. It is all really a question of priorities. How should these surpluses be used? Our view is, the priorities of the American people are to safeguard Social Security, to safeguard Medicare, to provide for education and defense and health care, and also tax relief. The other side says there are only two priorities. They say the priorities with these surpluses are Social Security—and I commend them for that. But then they say virtually all the rest of the money ought to go for tax cuts. When you look at what they are proposing, the Senator from Texas was very clear. He likes across-the-board. The chairman of the Finance Committee has indicated he likes the 10 percent across-the-board.

That is not fair. That is not fair. It is not the priorities of the American people. That is why this amendment is important.

Mr. LAUTENBERG. Mr. President, how much time do we have left on our side?

The PRESIDING OFFICER. The Senator from North Dakota has 11 minutes 20 seconds. The Senator has Texas has 45 minutes, approximately.

Mr. GRAMM. Will the Senator from North Dakota yield?

Mr. CONRAD. Not on my time I will not yield.

Mr. GRAMM. Yield on my time. We have been very good in going back and forth. We have almost an hour. We have a few minutes. Would it not make sense to let us speak—let me say a few words, let Senator DOMENICI speak, and then continue this, rather than shutting us out? If you want to do it, you obviously have the right under the rules.

Mr. KENNEDY. May I just ask one final question?

If we do not do what is included in the Conrad amendment, if we are looking at the financial security of Medicare to the year 2020, is it the understanding of the Senator that we would have to somehow find $686 billion that would either have to be a combination of tax increases or benefit cuts in order to reach the $686—in order to ensure that the Medicare trust fund would be financially sound by 2020, if we do not accept the Conrad amendment?

Mr. CONRAD. I suppose what we could do is write to these folks to whom Senator GRAMM is going to send the money and ask them to make voluntary contributions so the Medicare system could go forward. I do not think that would work very well, probably.

The problem, the fundamental question before us, is, How do we use these surpluses? I think the priorities of the American people are very clear. They have told us: Social Security, Medicare, education, health care, defense, and, yes, tax relief. Those are their priorities, and that is what this amendment represents.

The PRESIDING OFFICER. Has the Senator from North Dakota yielded the floor?

Mr. CONRAD. I do.

The PRESIDING OFFICER (Mr. SMITH of Oregon). The Senator from Texas.

Mr. GRAMM. Mr. President, I want to be careful in what I say. But our colleague suggested that we be honest.

I want to be very honest. What we have before us is a totally phony amendment. Let me go through and explain why. Let me touch a couple points.

First of all, this save Social Security business and lock the money away for Social Security, that didn't come from Bill Clinton. That came from PETE DOMENICI. That is in the budget before us. I want to thank Senator DOMENICI for that.

Let me just run down the list of things here. First of all, our dear colleague brought out a quote from me about using money from Medicare. To paraphrase Paul Harvey, let me tell you the rest of the story.

Last year, our Democrat colleagues were trying to raise taxes on the poorest among us, on a tax where 60 percent of the tax was paid for by Americans who made $25,000 a year or less. It was a cigarette tax. The claim that the Government had the right to part of the money was that people smoke. They get smoking-related diseases and it costs us money in Medicare.

So Senator DOMENICI and I said, If you are going to collect money in cigarette taxes and you suddenly have this giant windfall—as one of the lawyers, I guess, of these people that our dear colleagues talk about, these rich people, said, ''This is like winning a lottery,'' talking about the millions of dollars that had gone from the settlements—Senator DOMENICI and I said last year, Well, if you are going to tax tobacco and you are going to impose the tax on people making $25,000 a year or less that pay the bulk of tobacco taxes—they are concerned about poor people today, but last year they were raising their taxes—Senator DOMENICI and I said, Well, if you are going to do that, at least spend the money on Medicare for health care.

Now, when it was clear they weren't going to be able to spend it on all their social programs, their amendment died. But that is where that quote came from, if we are going to be honest.

Let me make it clear that all this business about ''the Domenici budget does not provide a penny for Medicare,'' not so. The Domenici budget provides more money for Medicare than any budget ever written in American history. It provides $199 billion of new money. It funds every penny for Medicare. The President proposed cutting Medicare funding by $20 billion over the same period. So this is not about Medicare. This is about tax cuts, and it is about politics.

Now, this ''richest among us''—I do not understand people who love capitalism and hate capitalists. I do not understand people who love investment but hate the people who make investments. I don't make $1 million a year. If I were really productive, maybe I would. But let me just tell you the trick behind all these charts. The trick behind all these charts is that tax cuts are for taxpayers. So if you don't pay any income taxes and we cut income taxes, you don't get a tax cut. Some people say, Well, that's not fair; I don't pay income taxes, but if they are going to give a tax cut, I ought to get some of the money.

Well, ask working people. Do they get Medicaid? No. Do they get food stamps? No. Do they get housing subsidies? No, because they are not poor. Those programs are not for working people. Tax cuts are for working people. So if you don't pay any taxes, you don't get any tax cuts.

Now to this business about what if somebody makes $800,000 a year and they get a $20,000 tax cut. Outrage. Well, if they get a $20,000 tax cut, it meant they paid $200,000 of taxes. So if I paid $20,000 of taxes and I get a $2,000 tax cut, why shouldn't somebody who paid $200,000 get a $20,000 tax cut? Do we have to debate every issue by trying to pit Americans against each other? What is wrong with people making money? What is wrong with people being rich? They didn't make the money by stealing it from somebody. They made it by producing something of value and selling it. I would just like to say that we get tired of having the people who are making $1 million a year tell us about tax cuts for rich people.

I don't get it. Senator DOMENICI is from an immigrant family. I told the story earlier about him almost being born in a lettuce patch where his mama was picking lettuce. Neither of my parents went to high school. Suddenly we care about rich people and our colleagues, many of whom are rich, are going to protect people against rich people.

Here is the point. Why not give everybody a tax cut? This bill does not give an across-the-board tax cut. It just provides money for tax cuts. Obviously, one of the ones that will be debated, everybody will get a chance to give their speech about these outrageous rich people who paid $1 million a year in taxes and we want $2 million. We want every penny they have. We want to put them in prison. The point is, with an across-the-board tax cut, you get 10 percent, whatever you pay, you get 10 percent of it back.

If that hurts your feelings, you live in the wrong country. It doesn't hurt my feelings.

Final points and I will get out of Senator DOMENICI's way. Senator KENNEDY asked, What does this do to the lifespan of Medicare? Well, let me tell him. Nothing is the answer, zero, zip. The lifespan of Medicare is supposedly to 2008, but it is only to 2008 because President Clinton took part of the cost out of the trust fund and put it into general revenue. So Medicare already went broke. But it is 2008 today and, if this amendment were adopted, it would still be 2008, because this amendment provides not one nickel, one penny, one million, one billion, nothing to Medicare. It gives Medicare a meaningless IOU, and we still have to cut spending or raise taxes or borrow money in order to pay it.

Mr. DOMENICI. Mr. President, let me correct the Senator. He didn't even give them an IOU. He just reduced the debt.

Mr. GRAMM. That is right, and claims that they get credit for it.

Mr. DOMENICI. Correct.

Mr. GRAMM. Well, let me say that this is a phony amendment in every respect except one. It has nothing to do with Medicare. It doesn't have any impact on Medicare. Normally in these amendments, you have all this folderol and meaningless stuff at first, but when you get to the last page and the last paragraph, you get to the bottom line. What this amendment does is, it reduces the levels of funds in section 104(1) by which the Senate Committee on Finance is instructed to reduce revenues.

So what this amendment is about is denying people a tax cut. Our colleagues are for tax cuts in general, even though both our colleagues voted for the last amendment which would

have denied any tax cut. They are for them in general. They are for eliminating the marriage penalty in theory. They are for changing inheritance taxes in theory. But when it gets right down to giving somebody a tax cut, they are against it.

Why are they against it? As long as we have been asked to be honest, they are against it because they want to spend this money. They are against it because they want to spend this money on programs, just as they did last year when we busted the budget by $21 billion and stole every penny of it right out of the Social Security trust funds and they voted for it.

So let's not be deceived. I was asked to be honest and I wasn't going to be, because I didn't want to be unkind. But since I have been asked to be honest, let me be honest. This is a phony amendment. It has nothing to do with Medicare and everything to do with denying tax cuts. Our colleagues on the left side of this Chamber want to spend this money, and we don't want them to spend it. We want people to have it back.

I yield the floor.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. How much time do we have on the amendment?

The PRESIDING OFFICER. The Senator from New Mexico has 35 minutes 20 seconds. The Senator from North Dakota has 9 minutes 57 seconds.

Mr. DOMENICI. Let me assure Senators here on the floor, I do not intend to use 35 minutes. I am fearful if I say anything, we will have to hear the same song and dance over again from the other side. We have heard it about 10 times today, but that is all right.

First of all, we all know what this is about. Last year the President of the United States said to the Congress, Democrat and Republican, we have taken Medicare out of politics. Let us move arm in arm and let us fix Medicare. Everybody said great. The President was active in this regard, and he said, let us have this commission look at it. We have taken it out of politics, because we want to fix it.

The truth of the matter is, the President decided to make Medicare a political issue in his budget this year. He didn't wait around for the commission. He made it a political issue in his budget.

Those who are now arguing on the floor about the budget we produced in committee are continuing the political fight rather than a factual fight.

I want to say a couple of things. There is a lot to get excited about here, but I promise myself I will not do that, other than I will say to my good friend, you should never, never have put the Social Security lockbox money in the same lockbox with yours. If you would like to have a second lockbox and call it yours, you are welcome to do it. But it is a fraud to put it in the same lockbox with the Social Security trust fund. It is nothing similar to it. It has no relationship to it, and all it does is say, ''We're going to reduce the debt more than the Republicans want to, and we're hoping that by reducing that debt, there will be money available for Medicare.'' That is it plain and simple.

In case anybody is interested, on this chart, this red line is the President's debt reduction for which he is taking credit and have Nobel laureates saying it is great. The committee bill before you is the blue line which reduces the debt $400 billion more than the President, which, incidentally, is more than the distinguished Senator is going to take out of the tax cut to make a case—not a case for Medicare—a case against giving back to the American people any of their hard-earned money.

This amendment, which will fall because it is not germane, is an antitax amendment. Let me tell you, I am tired of Democrats getting up and saying, ''We don't want to vote for tax relief because Republicans are talking about an across-the-board tax cut.'' I am tempted to offer an amendment to strike the 10-percent tax cut from this tax cut and put in marriage penalty and any other family-related tax cuts. Take it out. Let's see if they are for it then.

What will the argument be? The argument can't be 10 percent because it is not even mentioned in this resolution. What they can get up and say is, ''We have a better idea for tax cuts than the Republicans.'' And we say, ''Wonderful, if you do, that's fine.'' But it is not a wonderful idea to cut the tax cut almost in half and claim you are for tax cuts and you did something for Medicare when, as a matter of fact, all we need to do for Medicare is to get the Democrats and the President—and I will not include every Democrat because there are some who already know what they want to do—but all we need to do is get them to tell us what we ought to do for Medicare.

This idea that my friend, Senator KENNEDY, got up and said, ''We are in the red $860 billion over,'' I don't know how many years, Mr. President, that is saying if the program stays just like it is and there is no reform, that is what we would need to keep it going like it is.

Let me assure you that not even the distinguished Senator who is proposing this so-called Medicare amendment thinks we should leave the Medicare program like it is. In fact, there is a quote—we are going to find it in a minute—where the distinguished Senator said Medicare does not have a chance to survive unless we reform it. That is what he was saying last year.

Reforming it means you save money by making the program more efficient, less apt to have fraud injected into the program and, yes, being realistic. There are those who say this commission that worked on this didn't come up with a good product and they used that one idea. Thirty years from now, the age for receiving Medicare will go up piecemeal, and in 30 years, it will be up 2 years. Maybe they can fix that if they are serious. But, Mr. President, that reform package saved enough money to pay a prescription benefit. They did not need to take away this tax cut to do it. They had $61 billion left over from reform, and they said, ''Let's use it for prescription drugs.''

Any talk on the floor that the Conrad amendment is going to fix Medicare like it has never been fixed before is pure, absolute demagoguery and speculation at the highest. Nobody has any idea what that is going to do for Medicare, if it is even available for Medicare. It might not even be there. It can be spent for anything else.

I submit, talking about what the American people want most and coming down here and telling us that 20 times does not mean that that is what they are getting in that amendment by my good friend, Senator CONRAD, because it is not doing what he says the American people want. If you look at it, it does not accomplish what he continually claims the American people want.

Frankly, I believe we ought to get serious and we ought to take the politics out of this, but if you do not want to, we will take this one as far as we can because we understand what is right, what is fair, and what is fair to future generations, not just our senior citizens.

From my standpoint, the truth of the matter is, this is plain and simple: an effort to increase taxes that would otherwise be reduced by $320 billion over 10 years. What is really incredible about it is that it does not provide $1 for Medicare. Not one. It reduces the debt of the United States temporarily until it is spent by someone with no real way of saying it is to go to Medicare because there is no way to do that.

It is no lockbox; it is a wish box. In fact, you should take it out of my lockbox and make your own wish box out of it, and maybe mine should be green and yours should be—I don't know what color—surely a shade of yellow, something slightly brown, something like that.

In any event, all this amendment purports to do is to reduce the debt held by the public because the Senator could not even put it into the Medicare fund, as the President did, in his phony budget because if he did that, he would have to raise the gross debt of the United States and would be vulnerable here on the floor for having done that, so it doesn't even do that.

I understand my friend, Senator CONRAD, is anxious to get up and talk again. He has made so many arguments today, I don't know if he needs any more, but the Senate accommodates him because that is the way the budget process works.

Let me conclude. The budget before us fully funds Medicare assuming no reform. Reform will save a lot of money, and there will be money around from these numbers in this budget

which is fully funded. We do not cut the $20 billion that the President does, and regardless of what they say on that side, within the 10-year period, there could be up to $100 billion. And if we get on with reform, that $100 billion will be available. If we wait around forever with no proposal, then who knows.

I believe we are going to get serious. The President is going to send us a package. I only hope he does not send us one that is irresponsible because of this debate. I don't think he will. He understands the issue. We can get on to doing Medicare right, not act like this amendment fixes it.

Mr. CONRAD addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, let me just say, sometimes voices are raised here on the floor, mine included. But let there be no mistake, I have great respect for the chairman of the Budget Committee.

Mr. DOMENICI. And I for you.

Mr. CONRAD. I appreciate that, and absolute affection for the Senator from New Mexico as well. We have a disagreement. I think both of us are being honest and direct about that disagreement.

Let me be clear. The Senator from New Mexico says that my amendment does not fix Medicare. That is true. That is absolutely true. My amendment does not fix Medicare; it does not solve the problem. But my Medicare amendment, or the part of my amendment that deals with Medicare, does make a difference, because it reserves funds to strengthen Medicare—nearly $400 billion over the next 10 years.

The lockbox offered by our friends across the aisle does not provide one penny of the surplus for Medicare. They say, in answer, ''But we fund Medicare.'' Yes, of course they fund Medicare. That is a budget requirement. Of course they fund it. But in the surpluses that are projected over the next 10 years, they are not setting aside one penny of that surplus to strengthen Medicare. That is a deficiency of their proposal.

Let's go back to what the Conrad amendment really does. The Conrad amendment reserves, in a lockbox, every penny of the Social Security surplus over the next 10 years for Social Security.

No. 2, the Conrad amendment takes $370 billion over the next 10 years of non-Social Security surplus and reserves that for Medicare. That is a critical first step to solving and resolving the Medicare crisis.

No. 3, we still then have about $400 billion left over the next 10 years to deal with high-priority domestic needs—education and health care and, yes, defense and, yes, tax relief—$400 billion that is available for those categories.

Our friends on the other side say that is not what we want to do. They say, we just want the money for Social Security and tax cuts, nothing out of the surplus—nothing out of the surplus—for defense, for education, for Medicare. Well, we do not believe those are the priorities of the American people. That is the difference. And that is what this amendment is about.

I ask my colleagues, just for a moment, to suspend partisanship on both sides and really look at what this amendment says—not to the characterization of the Senator from Texas. His characterization was his imagination working overtime. It is what he hoped my amendment said, not what my amendment does say. The argument that he made was an argument not against the amendment that is before us but an argument against an amendment that he wished I was offering.

My amendment does pay down the publicly held debt more than the budget resolution—by about $300 billion. My proposal pays down publicly held debt more than what is being offered on the other side.

I think that is a good priority as well. So not only do we strengthen Social Security, strengthen Medicare, or at least make it possible to strengthen Medicare and also provide for high-priority domestic needs such as education, health care, defense, and tax relief, but we also are in a position to further pay down the public debt. Because every economist who has come before us in the Budget Committee, in the Finance Committee, has told us that that is the highest priority of all—pay down this publicly held debt, to put us in a position to keep interest rates down, to have a stronger economy for the future.

Mr. President, I yield the floor and reserve my time.

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that my time come off the budget resolution itself and not off the amendment.

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

Mr. LAUTENBERG. I want just a few minutes to respond.

Mr. President, I rise in strong support of Senator CONRAD's lockbox amendment, which reserves approximately 45 percent of the non-Social Security budget surplus for Medicare over the next 10 years.

Mr. President, we have heard a lot about the Republican lock box here on the floor. But so far, it's been all conversation and no action and no amendment. Nothing was offered in Committee, except for a sense of the Senate that merely endorses current law. And we don't expect to see anything on the floor.

What we have before us is a budget that spends nearly every dollar of the projected $1 trillion surplus on tax cuts. And the numbers don't lie.

On page 5 of the budget resolution, the amounts of surpluses remaining after the Republican tax cut are as follows:

A $6 billion on-budget deficit in 2000;
A surplus of zero in 2001;
A surplus of zero in 2002;
A surplus of zero in 2003; and
A small $3 billion on-budget surplus in 2004.

Mr. President, nothing in this budget is reserved for Medicare, although the program goes bankrupt in just eight years. But Senator CONRAD's amendment would correct this obvious oversight by reserving approximately 45 percent of the onbudget surplus for Medicare over the next 10 years.

This amendment is more than rhetoric, Mr. President. And it's more than a press release. It's a new Senate rule that reserves $707 billion for the Medicare program over the next 15 years. That's fully $707 billion more than the Republican budget.

Over ten years, this amendment would reduce debt by over $300 billion more than the Republican plan. Over the long-term, these reserves would be instrumental in crafting a comprehensive Medicare reform package that modernizes the program for the 21st century.

In the Budget Committee mark-up last year, Chairman DOMENICI stated that ''for every dollar you divert to some other program you are hastening the day when Medicare falls into bankruptcy.'' Well, Mr. President, we are one year closer to bankruptcy but a giant step back from where we were last year, when this program was a priority for both Republicans and Democrats.

Not only does our lockbox do more to protect Medicare and reduce debt, it also has a stronger lock and more responsible enforcement procedure for both Social Security and Medicare.

Mr. President, we enforce the lockbox through the tried and true mechanisms of the pay-go rules. If Congress attempts to spend part of the Social Security surplus or Medicare reserve, the sequester rules of the Balanced Budget Act would make automatic spending cuts in order to keep the reserve intact.

But in their budget, Republicans have weakened the pay-go rule by allowing all funds not saved for Social Security to be used for tax cuts, right away, regardless of whether we ever act to reform Social Security and Medicare. Our lockbox, however, creates a powerful incentive for Congress to address the long-term problems of Social Security and Medicare by prohibiting surpluses outside of the lockbox from being used until we reform Social Security and Medicare.

To sum up, Mr. President, the Republican budget ignores Medicare, but the Democratic lockbox protects both Social Security and Medicare. The Republican budget reduces public debt, but our lockbox reduces it more. The Republican budget does nothing to further protect Social Security, but our proposal adds a new super-majority point of order to make certain that Social Security surpluses remain out of

the budget. And finally, the Republican budget puts tax breaks first and tax breaks only, but our lockbox puts Social Security and Medicare first.

Mr. President, this is an easy choice. Our proposal is better for Social Security, better for Medicare, and better for debt reduction. And our proposal is a more responsible alternative to a Republican budget that does absolutely nothing to protect or strengthen Medicare.

Mr. President, I think securing Social Security, the Social Security trust fund, the Medicare trust fund, is of great help. And whether issuing more IOUs or not, we could put cash in there. And if we left it in cash, then what we would do is lose the purchasing power that is eroded by inflation or that would fail to replenish the fund as the number of recipients grows, even though the promise is made to each individual.

But it also does something else, I think. What it does do is it attempts to secure longer life for Social Security and for Medicare, to at least remove it from the likelihood that the appropriators one day—someday in the future, if things get tough—would be able to say, ''Well, listen, we just can't afford to do that. We're going to legislate reductions in the benefits.'' And I think it is the right way to go.

Mr. President, I must take a couple minutes because one of the things that I find terribly bothersome here is the fact that we are now down to where we are saying, ''stole money,'' ''phony accounting,'' ''fraud,'' and the Director of the OMB—a brilliant, educated man—was called the ''most deceptive witness to ever appear before the Finance Committee'' by one of our Senators.

I think that that language ought to be out of order because it accomplishes nothing except to get everybody a red neck. That is what happens. We all get excited about it because we are offended, insulted, by the trivial language that goes through this place when we are talking about something so serious.

''Taxes on poor people'' it was proposed because we were going to impose a burden on the tobacco users for the amount of the health care system that they used. ''Taxes on poor people,'' the plea was. ''We've got to feel sorry for those people who are going to pay more for their tobacco, for their cigarettes,'' even though they have consumed more of our health care costs in the country in lost productivity, et cetera; it is estimated as much as $100 billion a year. ''Poor people, they are addicted to tobacco; and, therefore, we ought not to ask them to pay more for the programs they use.''

I agree with that of sorts, but, on the other hand, in the State of Texas, $15 billion was accepted by the State of Texas as a resolution, a settlement of the case they had against the tobacco companies—$15 billion. And I did not hear anybody say, ''Well, Texas ought not to take that money because ultimately the consumers, the smokers, are going to pay for it.'' I did not hear anybody say that when tobacco companies raise the price of cigarettes 45 cents a pack, ''Oh, what a pity for those poor people to have to pay it.'' Of course, it goes into the profits of the tobacco companies, but I did not hear anybody pleading the case for those poor people who are going to pay it.

I heard a description of capitalists who hate capitalism. Well, you are looking at one. You are looking at one. And there is one sitting in the chair of the President, as well, a capitalist. He made his money through hard work and diligence. And I know, in my discussions with his wife, how she tends the business while he serves the country.

I came from a poor immigrant family. And I was struck by the comparison between the Senator from New Mexico and myself. I was born at home, but it was not in rural country: it was in New Jersey. I was born at home. The doctor came to visit and delivered this beautiful package to my mother. That is what happened. But I did not have the benefit of the hospital, and she didn't either. And maybe that is the result of what we have here.

But the fact is, I came from immigrant parents. I came from a father who worked in a silk mill. And perhaps that was the reason that this man, at 43 years of age, died of colon cancer. He was a weight lifter, he played basketball, he wrestled, he loved the outdoors, and he ate healthy foods, even in the 1930s when no one was talking about it. And my father would laugh at you if you smoked, but he died very young. He died young because he worked in a place that is believed was unhealthy to work in. There was no OSHA protection. There was nothing against fumes or film or dust in those mills.

My uncle worked in the same industry. My father was 43. My uncle died when he was in his early 50s. And my grandfather, who worked in this same business, died in his early 50s. I know what it is like to have come from the other side of the tracks.

I helped create one of the great businesses in America. And I brag here for a moment. And, please, I hope everybody will forgive this immodesty. We started the company without a dime, two other friends and I. Those two were brothers, and their father, as my father, worked in the silk mill. His health, however, was better and was not harmed. None of us had 15 cents to call our own, and we created a business that today employs 33,000 employees, and has one of America's most successful records for return on investment to the investors. If you invested $300 in my company in 1961—we went public—it is worth almost $2 million today. So I am a capitalist.

I served my country 3 years in the military, and I was in Europe during the war despite my youthful appearance. The fact of the matter is I did everything I was supposed to, and I did it the old-fashioned way—by working hard. It took us a long time to build that business, but we did succeed.

I used to serve with the Hall of Famer here, Bill Bradley, a great, great Senator, a great person, who was a member of the Basketball Hall of Fame. New Jersey was the only State in the whole country that had two Hall of Famers. I was a member of the Hall of Fame of information processing. You should have seen the kids running after me for my autograph. We were the only two.

I got there because I helped create not just a company but an industry. So I know a capitalist when I see one, and I like them because they contribute and they create jobs. As I mentioned, 33,000 people work for ADP today. I don't know where they would have had jobs elsewhere, but they like their jobs in that company.

When you disparage attempts to say we have a progressive system, that is what has made this country great. People pay their taxes based on their ability to pay and pay the lowest tax rate on a relative basis that we have seen in this country. Yes, there is more tax being paid because we have more people earning more money. It was never dreamed that people would be worth $30 billion or $10 billion.

One of the reasons I am worried about abolishing an inheritance tax is a guy leaves his heirs $30 billion, and the heirs have to do nothing but sit there, accumulate interest worth $1.5 billion a year, and pretty soon they own a large part of America and you can't take it away.

When we describe people as having ulterior motives or being of lesser character than others, I think it is the wrong way to go. I don't think it is a good example for people across America or children who might be interested. This is an honorable body and everyone on that side of the aisle or this side of the aisle I consider an honorable person.

Do we have differences? Absolutely. I think we have to tone down the rhetoric. I guess I have to tone down the decibels of my voice.

Whether or not we feel sorry for the farmer, for the rancher, who when he or she sells their property has to pay a tax, then we ought to feel just as sorry for the guy who owns the hotdog stand on the boardwalk in Atlantic City who works and supports his family that way. What is the difference between the person who owns a retail store or the person who owns a farm? There isn't any, in my view. That is my perspective, living in the most densely populated State in the Union.

I plead with my colleagues. I agree with Senator CONRAD. I think we have to make sure that Social Security is protected. My friends on the Republican side—and we all talk about PETE DOMENICI, Senator DOMENICI, affectionately, as well as respectfully. The fact is we differ with him, because I don't

see one thing in this Republican budget that says we are going to put 5 cents in Medicare. They say nothing about it. Wishful thinking.

They will continue present levels of funding; OK. The fact of the matter is that doesn't help protect Medicare in the years ahead.

I will yield back the floor, much to the distress of the listening audience.

Mr. DOMENICI. Before I yield back any time I have on the amendment, I want to say I hope I didn't say anything that prompted the Senator to worry about whether I was levying a personal attack on the Senator. I don't believe I was. If I did, I apologize.

Let me ask unanimous consent—and this has been cleared with Senator LAUTENBERG—that the time on all amendments from this point on be reduced to 1 hour equally divided and the time on second-degree amendments be reduced to half an hour equally divided.

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

Mr. DOMENICI. I yield to Senator BOND who has been patiently waiting to give us the President's budget so we can vote on it.

AMENDMENT NO. 151

(Purpose: To propose the President's budget)

Mr. BOND. Mr. President, I send an amendment to the desk, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Missouri [Mr. BOND] proposes an amendment numbered 151.

Mr. BOND. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered. (The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

Mr. BOND. Mr. President, I apologize, but I want to take a break from the fascinating discussions, the dissertations on autobiographical materials, and raise a new subject. I will talk about the budget. I apologize for making this major shift in the direction of the debate, but I am offering today the President's budget.

We offered this in the Budget Committee because a lot of people have been talking about the President's budget. Unfortunately, nobody has offered it here to date. I thought we ought to have an opportunity to discuss it.

Some of our colleagues waxed very eloquent in the Budget Committee on the benefits of the President's budget. Of course, people who know budgets know that they are just basically a bunch of numbers, but those numbers do have consequences. When people talk about how great the President's budget is, when it comes time to vote on it, nobody seemed to want to do that in the Budget Committee, so I thought I would give all of our colleagues an opportunity to vote.

As I look at the President's budget plan, it reminds me of the so-called garbage boat, the garbage barge that floated in the Atlantic a few years ago. Everybody kept saying how important it was to get the garbage buried someplace but nobody wanted the barge to land on their shores. A lot of our colleagues have talked about how important and how wonderful the President's plan is, but no one wants to take custody of it, nobody wants to take responsibility for it.

I suggest that this substitute would be a great opportunity for somebody who wants to work from the principles and the ideas of the President's plan to vote for it. Then we can move forward and work on it.

Why do our friends on the other side keep running away from the President's plan? The problem comes up when we move away from talking about general principles, platforms, and commitments and start talking about the details of the plan. I agree we ought to talk about principles, but principles are not enough. We have to get down to the point of talking about some plans, some numbers.

In the Senate, we vote on a plan, not on some vague statements claiming to be principles. I am from Missouri and, of course, our motto is ''Show Me.'' Show me how these principles translate into a budget. That is what this amendment is all about. This is putting before the Senate the actual numbers that the President has set out to implement the details of his budget plan outlined to us and to the Nation just a month and a half ago. It is a vote on the specific plan proposed by the President.

Now, let's take a look at what the President's plan does. This is just in summary, and there are a lot of things we can say about it. First and foremost, the President's plan breaks the budget discipline we worked so hard to achieve, the spending caps we agreed to in the balanced budget amendment that helped get control over spending and produced a surplus. These caps would be shattered by the President's plan.

We would not have any surplus to be worrying about if we had not, under the leadership of our distinguished chairman of the Budget Committee, Senator DOMENICI, fought and fought and fought against plans that were vetoed, against objections from the other side, against every manner of obstacle, finally to get a plan in place which capped spending and produced a budget, where we are reducing the deficits and moving toward a surplus in the future.

This has been stated by many observers as one of the reasons why there has been some strength in the economy, because after years of watching a totally undisciplined Federal spending machine raise the deficit and build on the debt of this Nation, we finally are getting spending under control.

We have had good monetary policy. Our fiscal policy has been a disaster. Under the leadership of Chairman DOMENICI, we have finally gotten a handle on the fiscal policy. But the President's budget plan proposes to spend $30 billion more than we agreed to in the balanced budget amendment. He breaks the cap. This is going back to the old spend and spend and spend proposals that put us in the position where we have run up trillions of dollars of debt on our children's and our grandchildren's credit cards.

I think it is very important that we focus on the budget caps. The plan goes against the principles we supposedly agreed to around here. I was very interested that, on February 28, the distinguished minority leader was being questioned by Cokie Roberts on the ''This Week'' program. When asked if we should keep the caps, his response was, ''Absolutely.'' Cokie Roberts says, ''So you are against breaking the caps?'' Senator DASCHLE says, ''Absolutely. I think we've got to live within those caps. We set them out. We all voted for them, agreed to them. We knew the ramifications when we did so. We know what kind of a surplus we are going to enjoy if we have them. I think we ought to stick with them.''

Well, that is a strong statement of principle in favor of the caps. I agree with it. But that principle is violated by the budget plan submitted by the President. That is why I think we are going to see a significant number of Members on the other side of the aisle vote against the President's plan, because the plan does not carry out the principles that he has so widely espoused and been so roundly cheered for espousing.

Here is another principle from the President himself. This is from the State of the Union Message, January 27, 1998. Within the first portion of the remarks, he said:

If we balance the budget for next year, it is projected we will have a sizable surplus in the years immediately after. What should we do with the projected surplus? I have a simple four word answer: save Social Security first. Tonight, I propose that we reserve 100 percent of the surplus—that is, every penny of any surplus—until we have taken all the measures necessary to strengthen the Social Security system for the 21st century.

That was one time I was pleased to stand up and applaud the President, because I agreed with that principle. I agreed with the principle that we ought to take the money from the surplus, the surpluses we are seeing now, and apply them against Social Security. But what does the President's plan do? The President's plan, as outlined in the budget—you have heard about the devil being in the details. Man, that is an understatement when it comes to the President's budget, because it is full of devils. You can imagine what you call a place that is full of devils. There is a place named for that. That is what the President's budget is. The President's plan would spend a whopping $158 billion of the Social Security surplus on the President's big spending schemes.

Let me show you this chart. Here is an opportunity to take a look at the difference in the two plans. Here is the plan before us, Senator DOMENICI's plan, ''The Fate of the Social Security.'' It says here is the surplus. Here is the President's plan. He says we can save this much, and then we want to invest some in equities. I believe Senator ASHCROFT addressed that equity question. He wants to have the Federal Government investing in the stock market and taking control, potentially, of companies through ownership—a new form of nationalization, a national economic scheme that would make a central planner of the Marx or Lenin era salivate with anticipation. And then the President wants to spend $158 billion out of that surplus. That, Mr. President, is not saving the Social Security surplus for Social Security.

These are some of the specifics of the plan. That is why we need an up-or-down vote on the President's plan, not on some vague statement by the President on the principles. That is why I have offered the plan.

Let's talk a little bit about Medicare. We have heard that the President does wonderful things about Medicare. Well, you know, I was very interested. I want to look at this because the President's plan cuts about $9 billion out of Medicare for the next 5 years to pay for new spending programs.

Mr. President, in my State, if you freeze hospital payments and you squeeze down on the money that the providers are getting, you are on the verge of doing something disastrous. Many of the small rural hospitals and rural health care providers in my State are at the point where they can no longer stay in business if the reimbursements are ratcheted down. The system has fatal flaws in it that need to be corrected. Throwing money at a fatally flawed system will not save it, and ratcheting it down further is going to wind up having small rural hospitals closed, having rural hospitals no longer able to take Medicare patients. It is going to wind up in denying Medicare to the people who most need it.

If we are serious about Medicare reform—and I hope we all are—we had better go to work on the recommendations made by the bipartisan members of the Medicare Commission, led by our colleagues, Senators BREAUX and KERREY on the other side, with the active leadership of Senators GRAMM and FRIST on our side, and others, because throwing money at Medicare is not going to save a system that is fatally flawed.

I wish to clear away some of the chaff that has been thrown out in discussions about Medicare by citing a fellow who I believe is a rather credible observer, David Broder. On March 15, he wrote an article that appeared in the St. Louis Post Dispatch, talking about the fury of some of the Finance Committee members in the Senate. He explained it. He said:

The committee had just received prepared testimony saying in unusually blunt language that Clinton, far from cracking the Medicare problem, may be making it worse. Dan Crippen, the director of CBO, said that by transferring $350 billion from the anticipated budget surpluses to the Medicare trust fund, the Clinton plan would ''delay the date of insolvency.''

But the transfer would do nothing to address the underlying problem: ''Rapid growth in spending for Medicare. . .will still outstrip anticipated revenues.''

Listen to what Broder said:

The prescription drug benefits Clinton touted (but left out of his budget because he has no way to pay for them) ''would be popular with beneficiaries,'' Crippen said, ''but the additional program costs would be large.''

Broder goes on to opine:

By raising expectations, Clinton has made the Medicare problem worse.

David M. Walker, the head of GAO, was even more biting. By proposing a large-scale shift of general revenues to a program now largely financed by payroll taxes, Walker said, the Clinton proposal ''could serve to undermine the remaining fiscal discipline associated with a self-financing trust fund concept.''

Meantime, he said, ''it has no effect on the current and projected cash-flow deficits'' in Medicare and ''would not provide any new money to pay for medical services.'' The Clinton program, he said, ''does not include any meaningful program reform that would slow spending growth. . ..At the same time, it could strengthen pressure to expand Medicare benefits in a program that is fundamentally unsustainable in its present form.''

There you have it. You have the President's budget plan, which is smoke and mirrors as far as Medicare goes. We have had the testimony before the Budget Committee from the Director of CBO and the Director of the General Accounting Office. It does nothing for Medicare. It provides some transfer of trust fund balances and shifts money back and forth with funny accounting. It gives new life to that old meaning that, ''I'm from the Federal Government, trust me. I am going to shuffle notes around and claim that we have solved some problems.''

The Clinton plan puts more IOUs into Social Security that will increase the debt held by the public. It is likely that the plan that he has presented will actually increase the debt that my son and the children and grandchildren of this country will have to carry for the rest of their lives. By raising the debt, it does nothing to save Social Security; it just increases the burden. Oh, yes. And taxes. At a time when we are looking at surpluses, he increases taxes so there will be more money to spend. This is a real plan. These are not principles. This is what his plan does. If there are some in this body who think that the President outlined the right way to go, I would say show me. Show me your support for it. Here is what it does. Show me if you are willing to vote for it.

Mr. President, I don't know a lot of our colleagues who want to endorse a plan like that. I certainly wouldn't. But I appreciate the opportunity to give them the chance to speak up for the President's plan.

I thank the Chair. I reserve the remainder of my time.

Ms. SNOWE. Mr. President, will the Senator yield? Does the Senator intend to use the remainder of his time?

Mr. BOND. I would be happy to yield to any of my colleagues, or turn the time over to our distinguished chairman to allocate to such colleagues if they wish to speak on related areas. I would be happy to have the chairman of the committee allocate the time to any of our colleagues.

Mr. DOMENICI. Mr. President, how much time do we have?

The PRESIDING OFFICER. The Senator has 14 minutes.

Mr. DOMENICI. We have 14 minutes under the agreement on first-degree amendments. How much time would the Senator like? The Senator can have 14 minutes. There is still time on the bill.

Ms. SNOWE. No. Actually less, I say to the chairman. Mr. President, I want to speak on one facet of this issue, and I will speak again later. I thank the chairman. I appreciate his yielding me this time.

I had intended to address the entire issue of the budget resolution as a member of the Budget Committee, because I think this was an extraordinary process in the Budget Committee. I want to commend the chairman of the Budget Committee, Senator DOMENICI, for doing an outstanding job, and for his exceptional leadership in balancing the many issues that came before the Budget Committee in crafting a budget that strengthens and improves some areas of the budget, preserves the Social Security surplus, and also addresses an issue that the debate is now apparently focusing on, and that is, of course, the issue of Medicare.

The reason I decided to take to the floor at this time is because I thought it was important to talk about the issue of the Medicare prescription drug benefit in the budget resolution. First of all, I was somewhat surprised to hear the tenor of the debate that has occurred on the floor with respect to a particular provision—the reserve fund for the Medicare prescription drug benefit program that is included in the budget resolution.

I should point out that it was the reserve fund that will provide for the assurance and the guarantee that if we get a Medicare reform package, we will also be able to fund a prescription drug benefit program. Thanks to the chairman of the Budget Committee, who was willing to agree to use the onbudget surpluses as a way to preserve the prescription drug benefit program. I had offered an amendment in the committee that provided for a reserve fund for the prescription drug benefit program so that we would not have to have the 60-vote hurdle on the floor of the Senate in order to provide funding for that program. The very fact that we have a reserve fund in this current budget resolution allows for a prescription drug benefit program and

gives all the more certainty that is going to occur.

We include language that that prescription drug benefit program is also contingent on a reform package that would advance the solvency of the Medicare program. I think we all agree that is of necessity, given the fact that the Part A program is going to go bankrupt by the year 2008. Given the fact that we now have a reserve fund for the prescription drug benefit program in this budget resolution, I think it will give confidence and will serve as a catalyst for reform of the Medicare program.

But what is also important here in this debate this evening—that is why I decided to take to the floor tonight at this time, I say to my colleagues and to the Senator from Oregon, Senator WYDEN—is to restore some bipartisanship and stability to this debate on this particular issue. The fact is my amendment which created the reserve fund for the prescription drug benefit program and Medicare garnered the support of all of the Democrats and all of the Republicans on the committee. It received a bipartisan vote of 21 to 1 in the Budget Committee—almost unanimous support for this provision. It received bipartisan support for this new Medicare prescription drug benefit, if legislation that reforms the Medicare program is reported out of the Senate Finance Committee.

Crafting that reserve fund ensures that there will be a prescription drug benefit program of some kind using the onbudget surpluses.

But what is important here this evening is to underscore the fact that it received overwhelming bipartisan support in the committee, because we recognize that there is a glaring need for prescription drug coverage in the Medicare package in the Medicare benefit program. Senator WYDEN and I will be working with senior citizens groups and health care experts over the coming weeks to develop bipartisan legislation to try to see what we can do to ensure that coverage is provided. But currently it is important for Members to understand that there is a reserve fund in this budget resolution for that very purpose.

I am somewhat surprised to hear the statements that have been made here on the floor of the Senate suggesting that somehow there is no coverage for a prescription drug program, that there is no way that there is any money for Medicare or the drug benefit program when nothing could be further from the truth. The fact is that was one of the issues in the Budget Committee that received overwhelming bipartisan support. That is the way we want to keep it. Senator WYDEN and I will be working to do just that, because we know that it is absolutely imperative that we provide this benefit to the senior citizens of this country.

Medicare currently does not provide that benefit. Yet, 12 percent of the elderly in this country are the ones who spend more than a third of all of the costs of prescription drugs in this country. So, therefore, we need to provide some kind of comprehensive package and benefit program for our senior citizens on how we do that. We plan to work on it over the weeks and months ahead.

But I do think it is important for Members to realize that there is a reserve fund for this purpose in this budget. It is not IOUs, as in the President's plan, I might add. In fact, as part of my amendment, it prohibits the transfer of these IOUs to the Medicare trust fund as proposed by the President. So they can't allow a transfer. That is an artificial benefit to the Medicare program. It doesn't essentially do anything to the Medicare program. I think we all recognize that. And, therefore, there is a prohibition against the transfer of IOUs to the trust fund, because it is not going to do anything to enhance the solvency of the Medicare trust fund. In fact, to the contrary.

We are going to try to do everything that we can, not only to use the onbudget surpluses, but any other additional funding that could be available to ensure that there will be permanent funding of the prescription drug benefit program in the future. We think it is absolutely essential. We think it is a priority. That is why it is in this budget resolution. And thanks to the leadership of the chairman of the Budget Committee, it happens to be there.

I hope Members will in no way denigrate what is in the committee resolution, because, if this provision wasn't in the budget resolution, we would have no way of assuring that there would be funding of the prescription drug benefit program that we addressed in the Medicare reform in this session of the Congress.

Mr. President, I hope that we understand exactly what is in this budget resolution.

I hope we do not make this a partisan debate. Many of us have worked across the aisle to ensure that we maintain bipartisanship when it comes to the reforming of the Medicare program. We hope we can preserve that approach. We will continue to do everything that we can to ensure that is the case. That is why I am pleased to have been able to work with Senator WYDEN to see how we can further develop initiatives to ensure that prescription drug benefit program does get funded in this budget and in this reform effort of the Medicare program in the future.

I want to make sure Members understand. If this reserve fund was not in the budget resolution, which was supported on a bipartisan basis, there would be absolutely nothing for prescription drugs. Because the President did not provide anything for prescription drugs. There was not one penny that was provided for, as far as this benefit is concerned, in his budget; not even a plan. So there was no mechanism and this reserve fund establishes this mechanism. It was supported by almost everybody on the Senate Budget Committee.

Now I will be pleased to yield to my colleague from Oregon, Senator WYDEN.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I thank my colleague from Maine.

Mr. DOMENICI. Will the Senator yield?

Mr. WYDEN. I will be happy to yield to the chairman.

UNANIMOUS-CONSENT AGREEMENT

Mr. DOMENICI. Mr. President, I know everyone is wondering when we are going to vote. I ask unanimous consent we will start rollcall votes at 8 o'clock and we will have at that time stacked—you can write this up for me in more eloquent language if it needs it—Ashcroft, Conrad, Bond, and I assume it is Wellstone-Johnson or Johnson-Wellstone, and if we have time we will call Senator SPECTER down before that and have that one. Those will be at least the four that will be stacked and we will see what happens after that.

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

Mr. LAUTENBERG. Is it the intention of the chairman that we have these votes consolidated, the first one maybe the regular 15, and then 10-minute votes after that?

Mr. DOMENICI. I think what I ought to do is let that sink in around here first before we see if anyone would really complain to a shortened timeframe.

I thank Senator WYDEN for yielding to me.

Mr. LAUTENBERG. Mr. President, I yield up to 10 minutes off the resolution to our colleague from Oregon.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I thank the Senator from New Jersey for giving me this time, and also, before he leaves, the chairman of the full committee, Senator DOMENICI. Since I have been here, both Senator LAUTENBERG and Senator DOMENICI have worked very closely with me on a special passion I have in terms of public service, which is health care. I thank them for all their assistance.

Let me also say to the Senator from Maine, I am so glad she has been willing to put in all this time on this issue because it seems to me, colleagues, that after the Medicare Commission it is especially important that the Senate demonstrate that it is possible to take on this Medicare issue in a bipartisan fashion. The reserve fund that Senator SNOWE and I have developed, that will be perfected tomorrow, is going to allow for a significant step forward in Medicare reform. It is an addition to the Medicare program that is so important to the vulnerable elderly, but also will ensure it is responsibly financed.

Suffice it to say, the legislation Senator SNOWE and I have pursued is not

going to be seen as perfection to partisans on either side. But I will tell you the seniors that we represent, and there are more than 20 percent of them who spend over $1,000 a year out of pocket on their prescription medicine, they are going to say this legislation is a significant step forward.

We have millions of older people in this country who are walking on an economic tightrope. They are balancing their food costs against their medical bills and their medical bills against their housing expenses. They do not want to see the Senate spend its time bickering about Medicare reform. They want to see, as Senator SNOWE has just said, the Senate get serious about real reform as we have tried to do with the overwhelming vote that we got in the Budget Committee on the question of prescription drugs.

I think it is well understood we are literally on the cusp of a pharmaceutical revolution today. A lot of the therapies and the drugs and devices today constitute perhaps the very best health care preventive program we could have in our country, because what they do is prevent unnecessary hospitalizations. They keep older folks out of these acute care facilities.

I say to the Senate today, if we can take the first step, the first step in the next couple of days, with this breakthrough in Medicare in terms of covering pharmaceutical services, I think it will also constitute a breakthrough in terms of preventive health care, because I believe a lot of these new medicines can prevent hospitalizations and costly institutional care.

As the Senator from Maine has indicated, the heart of our bipartisan proposal is to stipulate that a portion of the onbudget surplus could be used to meet the needs of vulnerable older people. I will also say I think as the Senate Finance Committee goes forward with this issue—because, of course, it will be their job to actually craft a number of the details of this legislation—it will be possible for the Senate Finance Committee to look at a variety of ways to fund this important breakthrough in Medicare reform. But the bottom line is they will have some options in looking at this issue because, as part of the budget process, we will have set out a general outline, the overall parameters of what really would be after the Medicare Reform Commission has reported—and we have seen the frustrations that surround it. We can then say to the country we at least have made the beginnings of real Medicare reform, responsibly financed.

I will also say I think as we go forward we ought to make some tough choices with respect to this drug benefit. Perhaps not all of our colleagues agree, but I happen to think the Senate should not say that Lee Iacocca ought to have access to the same kind of prescription benefit as would an elderly woman, a 78-year-old who has Alzheimer's, an income of $13,000 a year, and a prescription drug bill out of pocket of $2,000. I do not think we ought to treat those two the same. But that is an issue we can talk about as this legislation goes forward.

I indicated I would be brief. I want to wrap up by thanking our colleague from Maine, Senator SNOWE. She and I have been active in these senior issues since our days in the House of Representatives. I want to tell her I think it is especially helpful that she has been willing to come forward and lead this kind of bipartisan effort after the frustrations of the Medicare Commission so we can show the country we are at least making a beginning.

I know a number of our other colleagues care greatly about this issue. Senator KENNEDY from Massachusetts has been a leader in this effort to extend prescription drug coverage as well. He and I both feel strongly that the key to getting started with this issue is to use a portion of the onbudget surplus to make sure seniors, vulnerable seniors, will have access to this benefit.

I think there is a reason that the Senate Budget Committee voted 21 to 1, I believe, for this benefit. We are going to refine it in the next day or so, but I think we are showing the country we can expand coverage for the vulnerable and do it in a responsible way. I hope our colleagues will support our effort in the next day or so as we move to a final vote on that.

Mr. President, I yield the floor.

Mr. KENNEDY. Mr. President, may I have 2 minutes?

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I want to congratulate our friends and colleagues from Maine and from Oregon for their focus on the issue of prescription drugs. I look forward to the proposal that we are going to have tomorrow.

I am looking through the reserve fund language now. There are a number of constraints on the reserve fund. For example, before that reserve fund can be triggered, there has to be the guarantee that there is going to be financial solvency for Medicare from anywhere from 9 to 12 years, without any revenues from the President's program or other sources.

I wonder how we could possibly meet that requirement without having dramatic and significant cuts in the Medicare program. I welcome the opportunity to have a reserve fund that can really do the job on this issue. I welcome the chance to work with our colleagues to make sure that it is done. Hopefully, we can do it in a way that is going to be meaningful, because we do not want to represent that we are making significant progress in the area of expanding access to prescription drugs without really doing so.

I know the Senators from Maine and Oregon are really interested in the substance of it. I know they want to do the right thing. The current proposal is unacceptable, but I look forward to supporting efforts to make sure that we get a substantial downpayment to provide prescription drugs in Medicare this year.

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I want to respond to the amendment which was offered by the Senator from Missouri, who had essentially presented President Clinton's budget recommendations to us. I want to make note of a couple of things.

While I support the direction of the President's budget, I am going to oppose this amendment, because I believe it isn't a serious attempt to enact the President's plan. Rather, I see it as a transparent political gimmick that has been reviewed in our committee and voted upon. Democrats, like Republicans, voted against the budget. That does not mean we are against the general theme or the thrust of the President's budget. There are things in the budget that we want to examine specifically.

Frankly, I think it is pretty obvious that it is designed to discredit the President's budget. It dismisses the contribution to Medicare that we have established in some of the amendments we tried to offer in the Budget Committee discussions on the budget resolution.

What I heard said was that if we are serious about reform, then we ought to get on with it. The fact that we are going to increase the longevity of Medicare from 2008 to 2020, a period of 12 years, is dismissed as casual, trite—''chaff'' was the word that was used—as not being serious. On the other hand, what I heard the Senator say is that he was looking at reform. He thought there was a good program that was proposed there, a proposal that would take higher deductibles, higher co-pays, perhaps reducing some of the hospital availability.

That sounded like what the Senator was proposing in terms of his view of what we had to do with Medicare, that his reform was designed to, other than adding financial stability to it, to do these other things.

Well, maybe he wants to discuss the Medicare reform this evening, because it looks like, in its present condition, some of the changes in the program would be fairly painful to the Medicare beneficiaries.

One of the things I do not think I made clear in my remarks before, when I responded to the challenge to capitalists, one of the things that causes me to want to pay my share, whatever that fair share is, to support the programs that this country offers, like health care through Medicare, like a chance at an education, like a chance at a job, like a chance to bring children up in a safe environment—that is why we have our police program adding 100,000 policemen to the streets of our cities—like adding teachers, like reducing class size, I want to live in that

kind of a country. I want to live in the kind of a country that says people who are in the middle, people who are hard-working, people of modest income, people are not looking at this society and saying: Wow, it is really unfair; those guys, those people at the top, get everything, and we are left with the dregs.

Not so. That is why this country, despite its growth, its absorption of different cultures and ethnicities, is able to get on so relatively peacefully. Why? It is because people believe they have a chance at success. That is the way I want to do it. I want to make my contribution. It is made by way of taxes. It is made by way of other things that many of us do, whether it is philanthropic activity or otherwise.

I want to do it, because I want to do it for my children. I do not want them to live in a society where everybody is so angry that they want to take it out on my family and other families. We have enough of that violence on our streets and in our communities. I want to get rid of that.

You either pay or you hire security guards or you make sure your burglar alarm is on every minute of the day and night. That is the condition we have arrived at.

I see a lessening of that. I see a lessening, very frankly, of the racial distrust that exists. It is not perfect by a longshot. That is what I see as America.

I am happy to say that if you make $800,000, you pay and you don't get a $20,000 rebate. I want to trust this Government that those of us here have a share of running and say, OK, we will watch you; we will watch the way you spend the money and so forth. But I do not see the kinds of result that others talk about here at times, throwing your money to the Government where they put it down the drain, where they squander it on things, where they just disregard the importance of the resource. I don't see it.

What I see is that this is a trick tactic. This presentation of the President's budget is designed to embarrass Democrats, and the majority is proposing an amendment that they intend to oppose. This is an amendment that is being offered that is going to be opposed by the offerer. That should make it clear enough that this is political hijinks and not a serious amendment.

We should not spend our time debating every dot and comma in the President's budget, because every one of us can find something to criticize in that budget. Republicans have the luxury of not presenting a budget that goes into the same level of detail as the President's budget. Their budget, the Republican budget, is a rough outline, and that is what we should be debating here—basic principles, broad outlines of the budget. I think it is clear that there is broad Democratic support for the framework in the President's budget.

The President wants to reserve 77 percent of projected surpluses to reduce debt, save for Social Security and Medicare, and I think that is the right approach for our future. But the BOND amendment is not asking us to support the general approach of the President's budget. It is asking us to support the entire budget, that presumably means that every single item in that budget is satisfactory.

Mr. President, if I can lift it, I want you to take a look at the President's budget. This is the size of the President's budget. It has 1,291 pages, and that is what we are being asked to approve tonight in this gimmicky amendment that we are looking at.

I think the public sees through this. Certainly Senators see through it, even some of those who are on the side of the proposers. I ask if any Senator wants to endorse every single number in this volume. I doubt it.

I turn to page 105 of the budget. It says that we should provide $400 million for the Dairy Recourse Loan Program. There might be some in here who like that program, but I bet you that the majority are not going to like it, and I am not sure we should be endorsing that specific kind of a figure here today.

There are literally thousands of other very specific numbers in this budget, and nobody here is fully familiar with it. Nobody is going to agree to all of these numbers and these conclusions. But that does not mean we are repudiating the general theme of the President's budget, and no one should be confused about that.

I am going to ask my Democratic colleagues to join me, and all those who want to make sense out of what we are doing here and want to be serious, to vote against this amendment because it is, again, designed, I think, to be hijinks, tricks, gimmicks.

I yield the floor.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER (Mr. BROWNBACK). The Senator from New Mexico.

Mr. DOMENICI. Mr. President, does the distinguished Senator from Oregon desire to ask the Senate something?

Mr. SMITH of Oregon. Mr. President, I have an amendment that Senator SARBANES and I wish to offer. It will take but a few minutes, if we can do that. I think it will be accepted by both sides.

Mr. DOMENICI. We have agreed that we are going to vote at 8 o'clock. We have another amendment to take up. I hope you will not take too long. Do you think you can do it in 2 minutes?

Mr. SARBANES. Two each?

Mr. DOMENICI. Two each, that makes 4. Go ahead.

AMENDMENT NO. 152

(Purpose: To express the Sense of the Senate on providing adequate foreign affairs funding.)

Mr. SMITH of Oregon. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendment is laid aside. The clerk will report.

The legislative clerk read as follows:

The Senator from Oregon [Mr. SMITH], for himself and Mr. SARBANES, proposes an amendment numbered 152.

Mr. SMITH of Oregon. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place in the bill, insert the following new section and number it accordingly:

SEC. . SENSE OF THE SENATE ON PROVIDING ADEQUATE FUNDING FOR U.S. INTERNATIONAL LEADERSHIP.

(a) FUNDINGS.—The Senate finds that—

(1) U.S. international leadership is essential to maintaining security and peace for all Americans;

(2) such leadership depends on effective diplomacy as well as a strong military;

(3) effective diplomacy requires adequate resources both for embassy security and for international programs;

(4) in addition to building peace, prosperity and democracy around the world, programs in the International Affairs (150) account serve U.S. interests by ensuring better jobs and a higher standard of living, promoting the health of our citizens and preserving our natural environment, and protecting the rights and safety of those who travel or do business overseas;

(5) real spending for International Affairs has declined more than 50 percent since the mid-1980s, at the same time that major new challenges and opportunities have arisen from the disintegration of the Soviet Union and the worldwide trends toward democracy and free markets;

(6) current ceilings on discretionary spending will impose severe additional cuts in funding for International Affairs; and

(7) improved security for U.S. diplomatic missions and personnel will place further strain on the International Affairs budget absent significant additional resources.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that additional budgetary resources should be identified for function 150 to enable successful U.S. international leadership.

Mr. SMITH of Oregon. Mr. President, my friend from Maryland and I rise today to offer a sense of the Senate out of the concern for the 150 account out of the U.S. budget. It is an account that funds our efforts abroad, our foreign relations.

As we speak this evening, bombs are falling on Serbia. I simply note that there are a lot of bombs falling in the world today. It seems like more all the time. Yet, since the mid-1980s, our foreign affairs budget has fallen by 50 percent.

I supported the President last night. It was a difficult decision. We are picking among bad options, but, frankly, a good option for us is to wage more peace, a little less war. It seems to me we ought to find a way to limit within the caps but recognize the value to this country of waging peace through diplomacy.

Senator SARBANES and I have held hearings, at the instruction of the chairman, on the 150 account in the last Congress and share a concern

about the direction of the 150 account and stand together today to offer this and hope that the Senate can find the resources to do better by our efforts at waging peace.

I turn to my colleague from Maryland, Senator SARBANES, and yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. SARBANES. Mr. President, I thank the able Senator from Oregon for joining in this initiative. This is an effort to focus attention on the need to provide adequate funding for International Affairs, the so-called 150 account, which is essential for maintaining our security and building peace. U.S. international leadership requires effective diplomacy, which is in many ways our first line of defense. If we do it effectively, we do not have to resort to using our military strength.

I want to make it very clear that the chairman of the Budget Committee has been sensitive to this problem. We appreciate the constraints within which the committee has had to work, and in the past the chairman has been responsive to our concern.

Secretary Albright, of course, has just made some very strong statements about how pressed and handicapped she feels by the funding levels proposed in this budget. This amendment is an effort to show that the Members of this body recognize the importance of providing the necessary resources for the conduct of U.S. diplomacy, and our intention, as we move through this budget process, to find additional funds with which to address the programs in the 150 account.

We have an urgent and sustained requirement to provide for upgrades in embassy security. We do not want to take that out of the other international programs, because that account is already at rock bottom—indeed, below rock bottom.

Mr. President, recently I received a letter from the Coalition for American Leadership Abroad, which stated in part:

We are deeply concerned that over the last decade our institutions, programs, and the necessary resources to support diplomacy, America's front line in today's world, have been seriously impacted by budget cuts. Our organization, the Coalition for American Leadership Abroad (COLEAD), a nonpartisan coalition of 37 non-profit foreign affairs organizations, seeks to support and strengthen American engagement in world affairs. We believe that we should not withdraw from the world and that American leadership in world affairs is not only vital for our national interests and security but also to build a better world community. We should not turn our backs on the 95% of mankind beyond our borders.

U.S. funding for our diplomatic effort, in its many forms, has decreased by some 50% in real terms over the past dozen years. We are especially concerned about the projected downward trend in the foreign affairs budget for the next three years. Thus, we need to restore a rational sense of balance and proportion to our funding allocations for programs that preserve and protect our interests abroad. Effective American diplomatic leadership cannot exist without resources. We strongly believe that the time has come to examine American interests and programs in order to develop a broad bi-partisan consensus which would gain public and leadership support. We need to develop a better and wider consensus about how best to support these efforts in terms of institutions and resources. Our goal should start and end with a stronger America abroad, rather than a weaker nation in world affairs.

Mr. President, hopefully, as we work through this budget process over the coming weeks and months, we will be able to find a way to respond to the challenges that we are facing with respect to the various programs and policies that are contained in the 150 account.

As Secretary Albright has pointed out, there is a clear and present danger to American safety, prosperity, and values if we do not adequately address the resource question.

I am very hopeful that we will be able to come to grips with this in a realistic way, and I appreciate the initiative of my distinguished colleague from Oregon in this regard. This is simply a call to begin confronting this problem as we move down the budget path. I am pleased to join in support of this amendment.

Finally, Mr. President, I ask unanimous consent that an article by Robert Oakley be printed in the RECORD.

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

[From the Washington Post, March 16, 1999]

NICKELS AND DIMES FOR THE STATE DEPARTMENT

(By Robert Oakley)

There is an urgent need for the president, the Office of Management and Budget, the State Department and Congress to increase funding for the newly reorganized foreign policy establishment. This need starts with the unbudgeted security improvements of some $10 billion identified by the Crowe Report but does not stop there. As it is, a large part of the additional—but inadequate—funding already requested for security will come at the expense of substantive personnel and operations, which are already hurting badly. This is directly contrary on Adm. Crowe's warning that ''additional funds for security must be obtained without diverting funds from our major foreign affairs programs.''

In the immediate aftermath of the African embassy bombings, the State Department consulted with OMB and agreed upon an FY 1999 emergency supplemental request of $1.4 billion for immediate security needs in Nairobi. Dar es Salaam and worldwide, including more than $250 million for additional security personnel. For FY 2000, OMB has approved the request of an additional one-time security increase for the State Department of $3 billion, using the gimmick of an advance appropriation ''borrowed'' from FY 2001–2005. This is far below what Adm. Crowe recommended. Moreover, this approach is almost certain to damage seriously through FY 2005 the continuing substantive operations of the reorganized State Department (including the U.S. Information Agency, the Arms Control and Disarmament Agency and the Agency for International Development), given the ceilings currently stipulated by OMB and the balanced-budget act.

One has heard and read a great deal during the past year about serious problems of readiness, morale, retention and recruitment of the top-flight men and women of our armed forces. Action has been taken to correct these problems. We have also heard about accumulated difficulties affecting our intelligence agencies. Here, again, major increases in funding have been provided to assist the CIA. No such action has been taken, and none appears envisaged for the foreign affairs agencies, although we are in a period of relative peace rather than under the threat of the Cold War. The last assignment cycle of the Department of State had 3,300 vacant positions but only 2,700 people to fill them.

There is no question that our military and intelligence personnel and operations have been seriously stressed by the large number of unexpected crises over the past decade (Somalia, Haiti, Bosnia, Kosovo, Sierra Leone, Congo, etc.), yet deployments of military forces have been matched by the need for additional civilian personnel in equal or greater proportion. Conflict, prevention, containment and resolution require civilian personnel from the State Department, USIA and AID. They not only manage their own, new programs but also assist the United States and other military forces and international and non-governmental organizations to take the comprehensive approach required for success.

This involves much more than important negotiations by experienced diplomats such as Dick Holbrooke, Chris Hill and their teams. It also means humanitarian assistance, monitoring of human rights, promotion of democracy, processing of refugees and controlling displaced persons outside this country, and rehabilitation of economic, political and security institutions.

Aside from the crises and conflict-related civilian activities, there have also been increased requirements to promote U.S. business interests in the era of globalization, protect U.S. citizens, generate cooperation by other governments in preventing the proliferation of weapons of mass destruction and confronting narcotics, terrorism and organized crime, and deal with pollution and disease before they threaten the United States. Much of this is mandated by Congress. All of this is important for U.S. national interests.

Prominent senior statesmen have recently completed two major studies of the State Department and the conduct of foreign affairs for the Stimson Center and the Center for Strategic and International Studies. They identify major shortcomings and call for major improvements in our civilian foreign affairs agencies. This will require substantial additional funding, yet the trend has been and apparently will continue to be the other way. The security problem highlighted by Adm. Crowe's report, his followup letter and public comments is only part of this growing problem.

Some say that OMB and Congress are not really interested in more money for foreign affairs because the matter does not have the domestic political appeal and support that our military and intelligence establishments enjoy. Let us hope that this is not the case. It is very doubtful that the large numbers of American people who travel or have business interests abroad, or who worry about the global economy and the global environment, feel this way. They would understand and support an increase for combined State Department operations and security. The amount needed is small compared with increases for the Defense Department. The State Department must fight harder in requesting what it really needs, and the president must reinforce the request so that Congress will be able to debate and decide upon what to approve.

Mr. FEINGOLD. Mr. President, I rise in support of the amendment (Amendment # 152) being introduced today by the Senators from Oregon [Mr. SMITH] and Maryland [Mr. SARBANES].

This amendment expresses the Sense of the Senate that the resources identified in the underlying budget resolution for Function 150 (International Affairs) be sufficient to enable successful U.S. international leadership.

Mr. President, this is an enormously important amendment that comes at a critical time. Function 150 encompasses the majority of our international programs including the operating budget of the Department of State. Representing barely one percent of our entire federal budget, our investment in Function 150 is the American investment in our national security.

The post-Cold War era has brought with it new challenges and new responsibilities for the world's only remaining superpower. Yet real spending for International Affairs has declined more than 50 percent since the mid-1980s.

Mr. President, national security can not be viewed solely through a defense lens, but also must comprise all the critical preventative measures offered through an active foreign affairs program. This means continuing to be active in fighting the spread of disease and drugs, providing adequate nutrition for children and families, and pursuing U.S. goals in arms reduction. I also believe we should continue to make appropriate contributions to the multilateral institutions, in particular the United Nations, on which the United States relies.

In short, Mr. President, only through committed support to both diplomacy and defense can we utilize all the tools available to us to protect our national security and advance our overseas interests.

The PRESIDING OFFICER. The question occurs on agreeing to the amendment.

Mr. LAUTENBERG. No objection.

Mr. President, I just say that I commend both the Senator from Oregon and the Senator from Maryland for offering this. I think that it is appropriate that we, as we assert our military might into the world arena, try to establish the fact that we obey and want to see the rule of law observed, and yet we do not always pay our bills as we should. I think that is kind of a contrary action to be taking. So I know the chairman is going to agree with me.

As I see members of our committee, I say to Senator DOMENICI, I see people who are thoughtful and working hard, regardless of which side of the aisle. We can get argumentative at times, but I am proud to work with the members of the Budget Committee. I am particularly, obviously, impressed with the work that is done by my colleagues on my side, but that does not mean that I am not equally as impressed with what happens with colleagues on the other side. It is just that we disagree on some things.

So I wanted to make that statement. Mr. Chairman?

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I have no objection to the resolution. I hope that we can find the resources that are alluded to. I do not think there should be any false hope. It will be very difficult, unless they somehow or other decide to do something completely different from this budget. I regret that we had to establish priorities.

But I have great empathy. Since we live in this very tumultuous world, we do want our foreign policy to be funded as well as possible. We will work together and, hopefully, you will succeed. Thank you very much.

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

The amendment (No. 152) was agreed to.

Mr. DOMENICI. Mr. President, we are going to go on to the next amendment, which I understand is an amendment regarding veterans. But I just want to take 3 or 4 minutes and talk about the President's budget. I note my good friend, Senator LAUTENBERG, was talking about Senators should not use words like ''embezzlement'' and that kind of thing to describe other people's motives. I do not think he should use the word ''gimmick'' either. He called this proposal a gimmick. It is no gimmick at all.

In the committee, we just adopted the President's budget by a sense of the Senate. In this one, they actually prepared a budget that looks like our kind of budget; that is, the President's budget. It took a lot of time. We used the Congressional Budget Office, and it is right. If you want the President's budget, in a broad sense, you vote aye on the Bond amendment.

Frankly, it is difficult for me to see those who have been praising the President with reference to two very, very important things—Social Security and Medicare—vote against this budget, because I do believe that is a recognition that on neither count does the President's budget do what it says. Because I believe if it was a good Social Security proposal and a good Medicare proposal, those who are advocates for those two programs on the other side would be voting for it even if the rest of it was not right up to snuff because those are the big issues.

The truth of the matter is, 100 Senators already said, in an early vote, on Senator ABRAHAM's amendment—100 Senators—the President's approach to saving the Social Security trust fund is wrong. Now, they might want to turn around and vote for the budget anyway, but they already said, ''We don't want to spend $158 billion of the Social Security's money on programs.'' That was the vote.

Senator BOND says, ''Do you like the President's budget enough to vote for it?'' That is one of the things you would be voting for. I guarantee you, if that budget of the President's really fixed Medicare, there would be no one on the other side who would be voting against this, because they would be ashamed and embarrassed to find somebody to ask them, ''How come you voted against this wonderful fix, reform, saving of the Medicare system by the President?'' It is because it does not do that. That is why.

So I do not think we need a lot of time trying to find excuses. It is a pure, simple vote, up or down. Do you want the President's budget, with all its claims for Social Security and Medicare, or do you not? I do not think there would be very many Senators who say they do. And that ought to take care of the issue once and for all as to this President running around saying what he does and what we don't do. Now, he can talk about what we don't do, but he surely can't talk about what he does. I guess he can, but he would have to acknowledge, if he wants to be fair, that nobody in the Senate agrees with him.

I yield the floor.

AMENDMENT NO. 153

(Purpose: To increase funding in FY 2000 for veterans' health care by taking an across-the-board cut in all discretionary programs, except veterans and defense)

Mr. JOHNSON. Mr. President, I have an amendment I send to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from South Dakota [Mr. JOHNSON] for himself, Mr. WELLSTONE, Mr. CONRAD, Mr. KERRY, Mr. REID and Mr. JEFFORDS, proposes an amendment numbered 153.

Mr. JOHNSON. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 31 line 23 strike ''44,724,000,000''. and insert ''46,724,000,000''.

On page 31 line 24 strike ''45,064,000,000''. and insert ''47,064,000,000''.

On page 38 line 15 strike ''8,033,000,000''. and insert ''10,033,000,000''.

On page 38 line 16 strike ''8,094,000,000''. and insert ''10,094,000,000''.

At the appropriate place insert the following:

''(A) It is the sense of the Senate that the provisions in this resolution assume that if CBO determines there is an on-budget surplus for FY 2000, $2 billion of that surplus will be restored to the programs cut in this amendment.

''(B) It is the sense of the Senate that the assumptions underlying this budget resolution assume that none of these offsets will come from defense of veterans, and to the extent possible should come from administrative functions.''

PRIVILEGE OF THE FLOOR

Mr. JOHNSON. I ask unanimous consent that my legislative director, Dwight Fettig, be permitted on the floor.

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

Mr. JOHNSON. I ask unanimous consent that the Senator from Minnesota,

Mr. WELLSTONE, be added as a cosponsor of this amendment.

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

Mr. JOHNSON. As well as the Senator from North Dakota, Mr. CONRAD, and the Senator from Massachusetts, Mr. KERRY, and the Senator from Nevada, Mr. REID.

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

Mr. JOHNSON. Mr. President, I think we can engage in this debate in a relatively brief amount of time. But it is, I think, an issue that is fundamental. I applaud the Budget Committee chairman, Mr. DOMENICI, for working to try to find ways to augment the veterans' health care budget for the coming fiscal year.

The Presidential budget called for a flatline budget going on for 4 years. We have had 3 years already in the flatline budget at the VA, despite the fact that we have an enormous number of World War II age vets needing a greater amount of medical care and that we have increased inflation in health care costs.

The independent budget, prepared by prominent veterans organizations in this country, has proposed conservatively that we need an additional $3 billion for veterans' health care in the coming year. Chairman DOMENICI has provided for a $1 billion increase. I applaud him for that but recognize that still falls far short of where we need to go.

It is clear, from testimony that this Congress has received, that if we do not make some further adjustments upward we are going to wind up with a train wreck in terms of veterans' health care. We are going to wind up with mandatory employee furloughs, a severe curtailment of services, or the elimination of programs and, inevitably, facility closures around this country.

The amendment pending before the Senate would add the additional $2 billion to provide for that $3 billion increase for fiscal year 2000. The offset would come from an across-the-board reduction in the nondefense discretionary budget for this year.

Along with that goes a sense of the Senate that states:

> (A) It is the sense of the Senate that the provisions in this resolution assume that if CBO determines there is an on-budget surplus for FY 2000, $2 billion of that surplus will be restored to the programs cut in this amendment.
>
> (B) It is the sense of the Senate that the assumptions underlying this budget resolution assume that none of these offsets will come from defense or veterans, and to the extent possible should come from administrative functions.

We clearly have a crossroads we need to deal with here, Mr. President. We have to make some decisions now whether this country will remain committed to our veterans, remain committed to the people who have given us the ability to speak here on this floor.

Earlier this year, we passed S. 4 having to do with retaining the best, the brightest of our military personnel. It seems to me that this follows on in that same general logic, recognizing that it is futile for us to ask our military personnel to stay with us, to continue to put their lives at risk, to put up with all the hardships that they and their families suffer serving in our military, if they look around and find we have reneged on our commitment to their fathers, to their uncles, to the generations that have gone before them.

If we do that, we undermine our very attempt earlier on this year to retain these people in our military service. At a time when we are yet again undertaking a military action, in Kosovo, where the best and brightest of our military personnel are, in many instances, jeopardizing their lives once again for us, it seems to me it is not asking too much for our Senate to provide for a full health care budget, adequate to meet the needs of our U.S. military veterans.

I hope we will be able to continue this level of funding in future years. This amendment applies only to fiscal year 2000. We will have further opportunities to talk about what needs to be done next year as we deal with the budget resolution again, as we deal with the appropriations process, as, hopefully, projected budget surpluses will occur and we will have those opportunities to use those kinds of surpluses for offsets that will make sense.

However, it appears to me that the amendment, put together with the extraordinary assistance of the Senator from Minnesota, Mr. WELLSTONE, and his staff, as well as with the budget staff, creates an offset that is as painless as we can provide while, at the same time, providing for this $2 billion infusion that is so badly needed, if, in fact, we are going to live up to our word to our American veterans.

Mr. President, I reserve the remainder of my time and yield such time as he may consume to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. I thank the Chair.

Mr. President, I thank my colleague, Senator JOHNSON from South Dakota. We have been working pretty closely with the veterans community and, in particular, from the time they came out with their independent budget. I have read that very carefully and I think this work by Veterans of Foreign Wars, DAV, PVA, and AmVets is a very important document. I might also add that many other organizations all around the country have added their strong support to this independent budget.

In addition to talking about the independent budget, let me discuss what the veterans community has said based upon their own very careful assessment of this. We start off with the President's flatline budget which is woefully inadequate. Let me say right away as a Democrat, I think the budget is woefully inadequate, and certainly the President's budget was no way to say thanks to veterans.

The Budget Committee has called for an increase of $1 billion, but that still leaves a $2 billion shortfall. I want to also quote from a letter from the Senate Committee on Veterans' Affairs to the Senate Budget Committee which pointed out that the VA is facing $3 billion in costs above and beyond what was proposed in the President's budget. That would make it $2 billion right now given the $1 billion increase we have in the budget resolution.

I will quote the precise figures from the Senate Veterans' Affairs Committee:

> * * * an additional $1.26 billion to meet unanticipated spending requirements; an additional $853.1 million to overcome the effects of inflation and other ''uncontrollables'' in order that it may contain current services; and at least $1 billion in additional funding to better address the needs of aging, and increasingly female, veterans population.

In other words, our own Senate Veterans' Committee, under the able leadership of Senator SPECTER and Senator ROCKEFELLER, has basically echoed the same analysis of the independent budget. This is specific and it bears out what I have heard from veterans at rallies. The veterans community is very galvanized on this question. I have heard stories or received letters from veterans at our office—I am sure Senator JOHNSON gets the same kind of letters from the veterans community.

The budget resolution goes a third of the way toward covering this cost. We need to go all the way for the veterans community. We don't ask our troops to take a third of a hill, we don't ask them to win a third of a battle, and in this particular budget we ought not to go just a third of the way toward providing the resources so that we can get good medical care to veterans in this country.

Both in the President's proposal and in the budget resolution that we have before the Senate, the veterans are not a top priority. There is no doubt whatever that we should be doing much better. This amendment that we introduce tonight does the job.

Let me put this in personal terms for a moment. I don't want to see a good friend, Lyle Pearson from North Mankato—a decorated World War II vet, past commander of the national Disabled American Veterans—I don't want to see him in a position where he doesn't receive the kind of decent health care coverage that he deserves. I don't want to see an ever aging veterans population not receiving the kind of assisted care they will need. Many of our veterans are elderly.

The question is, How will we respond to that? I don't want to see a third of the homeless population continue to be veterans, many of them struggling with substance abuse problems, many of them struggling with posttraumatic syndrome, many of them Vietnam vets. I think we can do better. I don't want

to see the kind of backlog we have right now.

Let me just simply talk about veterans in Bangor, ME, who were concerned after a VA inspector general report noted their outpatient clinic had a 10-month backlog of new patients. Things were so bad last fall that the clinic couldn't see walk-in patients or urgent-care patients and there was a 4-month wait to see the clinic's part-time psychiatrist.

Veterans in Iowa are facing the possible closure of one of three major veterans hospitals because of the budget shortfalls. The Veterans Under Secretary of Health, Kenneth Kizer, warned that the VA health care system is in a ''precarious situation.'' Under Secretary of Health for the Veterans' Administration, Ken Kizer, went on to say that the proposed fiscal year 2000 budget—and he was talking about the President's budget—posed very serious financial challenges and that it would require a number of different things that might happen if, in fact, we don't provide adequate funding. Among them:

> . . . mandatory employee furloughs, severe curtailment of services or elimination of programs and possible unnecessary facility closures.

Let me be really clear about the amendment we have introduced. The veterans community was asked by the Congress—they are always asked—to give their positive proposal about what we need to do to have a budget that will serve their needs so that we can live up to our commitment to veterans. We have the independent budget. It was done well. We have a Senate Veterans' Affairs Committee which came out with its own report that said we have a $3 billion shortfall here between what the veterans community needs by way of a real investment in health care and veteran services and other services, versus the President's budget proposal. The President's budget proposal was unacceptable.

Now the Budget Committee brings a resolution before the floor and adds an additional $1 billion, but we are still $2 billion short. We ought not to go just a third of the way. We ought not to make estimates that make it clear that if we are really serious about our commitment to veterans, we are going to make up this $3 billion debt. We ought not say that and then not reflect that in our budget resolution.

My colleague, Senator JOHNSON, has done an excellent job of summarizing the offset, and I do not need to repeat it. I conclude this way: I have never, in my 8 years in the Senate, seen the veterans community so galvanized and so focused on any question. There is a tremendous amount of anger. People are smart. Four years of flatline budgets have not served the veterans community well. This budget by the President and what we have in the Budget Committee resolution does not go far enough. It doesn't do the job. It does not enable us to live up to our commitment to veterans. I feel very strongly about this.

This amendment we have introduced tonight provides the funding that will make sure we have the health care and decent services. It lives up to the very words that all of us have spoken as Senators. If we are serious about our commitment to veterans, then we have an opportunity to show that commitment and to vote for this resolution that Senator JOHNSON and I and other Senators have introduced.

Mr. KERRY. Mr. President, I want to take a few minutes today to share with my colleagues my support of this amendment—offered by my friend from South Dakota, Senator JOHNSON—an amendment which would increase funding for veterans health care services by $2 billion for Fiscal Year 2000. I believe that this funding level is necessary for the VA to provide the high quality of care it promises our nation's veterans. It is absolutely critical that we reverse the downward trend in VA health care funding and address the abhorrent deficiencies that exist currently in our VA health care system. We, as a nation, must keep our commitments to ensure that our nation's veterans receive consistent, high-quality, and reliable health care services.

I am convinced we cannot fulfill these commitments under the current level of funding provided both in the Administration's budget request and in the Chairman's mark which came out of the Budget Committee. I have expressed my concern in a number of letters to the Administration, both before and after their budget numbers came over to Congress—as I know many of my colleagues in both the House and Senate have done—about the Administration's decision to maintain a flat-lined budget for VA health care for the fourth consecutive year.

I also recently met with VA Under Secretary of Health Kenneth Kizer to make him aware of the severe effects that this level of funding has had already in Massachusetts. I told him that many of our VA hospitals and clinics are under serious budget strain and cannot provide sufficient care to the many veterans who need—and rightly deserve—to receive it. I expressed my concern that VA Hospital Directors have contacted me to say that, if they have to incorporate the same cuts in the coming fiscal year as they did this year, they will be forced to close wards, eliminate programs, and reduce staff. In fact, this already is happening.

In the Brockton, Massachusetts VA hospital, service providers have made it clear to me and my staff that they aren't able at times to provide adequate care for their patients. They are being forced to move psychiatric patients out into the community long before they are ready. The hospitals are unable to sufficiently help homeless veterans struggling with substance abuse problems. All of these troubles in taking care of our veterans are the result of one problem—today there is not enough money to care for those veterans who so badly need our help.

Our Northampton VA hospital—which has a nationally renowned reputation for its care of combat-wounded veterans—is facing the same challenges as the hospital in Brockton. They have a Post Traumatic Stress Disorder Unit there in Northampton—the only one of its kind in the entire Northeast. Veterans come hundreds of miles to find help in either putting their lives back together or keeping them from falling apart. The unit is always filled to capacity and requires a full-time, experienced staff that can address the needs of veterans who go there. But because we aren't doing right by our veterans, that unit is in jeopardy. Three years ago, this unit had a dedicated staff of twenty. Today, it has fourteen. There is only one overnight nurse to deal with 25 combat veterans. I don't believe this Senate can say that the quality of care in that unit has not been diminished.

These examples are part of a far broader crisis in veterans health care. Consider the VA nurses who haven't seen a substantial vacation for as long as they can remember and haven't received pay raises in five years, years when our economy has been growing in leaps and bounds. Put that crisis into a larger context: we have to ensure that adequate incentives exist for VA health care providers so that the VA can recruit and retain highly skilled staff.

As U.S. military personnel are going over to defend U.S. national interests in Kosovo, we must do all we can to let them know that their country is united behind them. We must do this for all the brave men and women who served and who have served our nation. Veterans are the brave men and women who already have served our nation, who have been on the front lines fighting for the freedoms Americans care about so deeply. How can we ask today's soldiers to represent our values around the globe if we're not willing to provide adequate health care services for those who have already made the sacrifice? How can we give so little to those who have already given so much to their country?

These are questions that I don't believe any of us want to ask. They are not ones that our country should be asking—Americans everywhere deserve a different and better debate than this one.

Mr. President, when the VA Under Secretary of Health asserts in a memo that the VA's flat-lined health care budget ''poses very serious financial challenges which can only be met if decisive and timely actions are taken,'' I believe that there is one critical action we must take. We must provide a significant increase over the Administration's request for VA health care. We ought to begin listening to our veterans and listening to those who care for them. We ought to provide the level of investment the national veterans service organizations have endorsed in

their Independent Budget for FY 2000—$3 billion over the Administration's request—the level of investment I believe is so badly needed just to fund the programs we already have while ensuring that future programs can address the needs of an aging veterans population.

Mr. BAUCUS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I know that each Senator has his own story and experience with respect to problems of veteran health care in his or her home State. I am just going to take a couple of minutes to explain some problems that rural States have with which I am particularly familiar.

Today I spoke to Tom Pouliot. Who is Tom? Tom is a vet from my hometown of Helena, MT. He is also the national commander of the Veterans of Foreign Wars.

Let me tell you a story that Tom has explained to me, which I know is a major problem in rural States. I say ''rural.'' I mean really rural. I am not talking about eastern rural, although veterans in all parts of the country obviously need health care, and aren't getting the health care that they need. But I am talking about western rural, west of the 100th meridian where it doesn't rain, where the distances between towns are vast.

Let me tell you a story I repeat sometimes to my colleagues.

When the First Lady was in Montana not too many years ago, she got off the plane, and says, ''This isn't rural. This is mega-rural. This is hyper-rural.'' I mean, for those who haven't been in the West west of the 100th meridian, I don't know, with all due respect, that one gets the sense of just how rural it is until you are there.

What is the problem? The problem is that tonight we can vote to increase veterans' health care by an additional $2 billion. That is the amendment offered by the Senator from South Dakota, Mr. JOHNSON.

Why do I think that is a good idea? It is a good idea because the VA has had a flatline appropriations for veterans' health care for 3 consecutive years. Just think of it. For 3 consecutive years, there has been no increase for veterans' health care, something that is very important and desperately in need of. I believe that a fourth year of a flatline health care budget would be deeply irresponsible.

Let me explain a couple of reasons why. Not only Tom, but I and others who have visited the VA facilities in Montana, of which there are not many, found this problem firsthand. I asked the VA in Montana to visit Miles City, Billings, and Helena, so they could get a firsthand look of what veterans face in getting the health care that they need.

The PRESIDING OFFICER. All of the time of the proponent of the amendment has expired. The Senator from New Mexico controls 5½ minutes at this point in time.

Mr. BAUCUS. Mr. President, I ask unanimous consent to speak for 4 more minutes.

Mr. DOMENICI. We have a vote at 8 o'clock. It is ordered.

Mr. BAUCUS. That is 5 minutes from now. I am asking for 4 minutes.

Mr. DOMENICI. It is four votes.

Mr. BAUCUS. Just 4 minutes. That is not 8 o'clock. That is 5 minutes from now.

Mr. DOMENICI. I haven't spoken on either amendment.

Mr. BAUCUS. Mr. President, I ask for 1 minute.

Mr. DOMENICI. I ask that we vote at 8:01.

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

Mr. BAUCUS. Mr. President, in a nutshell, the problem is this: Veterans in Montana get appointments at Fort Harrison and other veterans facilities. They drive hundreds of miles for the appointments. They get there, and it is canceled. They have to get in their car, or have someone drive them back to their home hundreds of miles away again. This is very common. Why? Because of personnel cuts. It is going to get worse unless we increase the veterans' health care budget.

Tonight I plead with my colleagues to support the Johnson amendment. Give our veterans a break. Men and women who have fought so hard for America, particularly our elderly vets, who in, say, World War II, or in the Korean war, fought for America. Here we are increasing the defense budget. We are not helping veterans' health care. That is just not right.

All we are asking is to take a little bit of a nick out of the defense budget, just a little, and increase veterans' health care just a little.

As I mentioned, there has been no increase in the last 3 years. This budget this year has no increase. That will be the fourth year. Let's just add a little bit to veterans' health care. I think it is the right thing to do for America's veterans.

I thank the Senator from New Mexico for the extra minute.

I yield the floor.

Mr. JOHNSON. Mr. President, I ask unanimous consent that Mr. FEINGOLD and Senator ROBB be added as cosponsors to the Johnson amendment.

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

Mr. JOHNSON. As Senator WELLSTONE expressed so eloquently, this adjustment would allow for the VA to keep up with medical inflation and for them to retain the needed employees that they need to deliver these services. It would allow for new medical initiatives the Congress had been pushing the VA to begin, including hepatitis C screenings and emergency care services. It would allow for addressing long-term care costs, funding for homeless veterans, in compliance with any Patients' Bill of Rights legislation this Congress enacts.

Mr. President, I reserve the balance of my time. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOMENICI. 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. DOMENICI. Mr. President, I wonder if I might ask unanimous consent that we set aside this amendment temporarily while an NIH amendment is offered by Senator SPECTER.

The PRESIDING OFFICER. Is there objection?

Mr. WELLSTONE. Reserving the right to object, Mr. President. What is the request? Is it that we lay aside our amendment so our colleague could offer an amendment on NIH?

Mr. DOMENICI. Yes.

Mr. WELLSTONE. No objection.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

AMENDMENT NO. 157

(Purpose: To provide for funding of biomedical research)

Mr. SPECTER. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Pennsylvania [Mr. SPECTER], for himself, Mr. HARKIN, Mr. DEWINE, Mrs. FEINSTEIN, Mr. KENNEDY, Mr. JOHNSON, Ms. MIKULSKI, and Mr. LAUTENBERG, proposes an amendment numbered 157.

Mr. SPECTER. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end of title II, insert the following:

SEC. ___. RESERVE FUND.

(a) IN GENERAL.—In the Senate, revenue and spending aggregates and allocations may be revised under section 302(a) of the Congressional Budget Act of 1974 for legislation disallowing a Federal income tax deduction for any payment to the Federal Government or any State or local government in connection with any tobacco litigation or settlement and to use $1,400,000,000 of the increased revenues to fund biomedical research at the National Institutes of Health.

(b) REVISED AGGREGATES.—Upon the consideration of legislation pursuant to subsection (a), the Chairman of the Committee on the Budget of the Senate may file increased aggregates to carry out this section. These aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as the aggregates contained in this resolution.

Mr. SPECTER. Mr. President, we have been accorded the opportunity to offer this amendment slightly out of turn, and I had already asked my distinguished ranking member, Senator HARKIN, to come to the floor. The amendment is with Senator HARKIN as the principal cosponsor.

The thrust of this amendment is to provide the financial base to increase funding in the National Institutes of Health by $2 billion this year. The budget resolution had increased the

budget authority by $600 million. This amendment seeks to increase that budget authority by another $1.4 billion and applies as an offset to the provision to disallow tax deductions from the settlement of cigarettes, which would yield in excess of $1.4 billion, the amount which is covered in this amendment.

In November 1998, 46 States agreed to a settlement with the tobacco industry requiring the tobacco companies to pay the States some $206 billion over 25 years. Four other States had settled separate lawsuits with the tobacco companies. The Internal Revenue Service considers those settlement payments as tax deductible business expenses, and this deduction effectively reduces the amount tobacco companies pay by 25 to 30 percent. Obviously, the tobacco companies will write off these payments as business expenses on their Federal tax returns. The amount of funding for next year, the year 2000, is $1.8 billion.

When we look for offsets to fund matters like increased funding for the National Institutes of Health, it is obviously a very difficult matter with the type of budget constraints that we are under. And in searching the nooks and crannies of the potential offsets, a very diligent staff came up with the idea that the deductibility of these payments was of lesser public policy importance than to increase the funding for the National Institutes of Health.

Now, public policy obviously depends upon someone's vantage point, and to have a change in law that would deny a tax deduction is not easy for anyone concerned. But where you have the kinds of funds that are involved in the tobacco settlement, and where you had a much larger figure being talked about for the Federal settlement, and where you have all of the money going to the States, and the Federal Government doesn't get any of the funds as determined by the emergency appropriations bill that we voted on last week on an amendment that Senator HARKIN and I offered, I think that all factors considered, it is a fair and just and equitable consideration. That is especially true in a context where you have tobacco being the cause of so many major health ailments in the United States. So in searching for a way to find an offset, we have come up with the idea of disallowing this as a tax deduction, which would provide the full funding in fiscal year 2000 for this $1.4 billion.

Now, with respect to the justification for increasing NIH funding, Mr. President, I think that is a matter which virtually speaks for itself. The National Institutes of Health is the crown jewel of the Federal Government. The advances that have been made in the National Institutes of Health covering a range of ailments is just nothing short of marvelous.

It is worth just a moment to run through the list of ailments that NIH is studying where such magnificent progress has been made: Alcoholism; Alzheimer's disease; Amyotrophic Lateral Sclerosis, also called Lou Gehrig's disease; AIDS; arthritis; asthma; autism; cancers of so many different classifications, such as breast cancer, cervical cancer, prostate cancer, and other cancers; cystic fibrosis; deafness and communications disorders; dental diseases; diabetes; digestive disease; epilepsy; heart disease; hemophilia; hepatitis; Huntington's disease; kidney ailments; liver disorders; lung disease; macular degeneration; osteoporosis; Parkinson's disease; schizophrenia; scleroderma; stroke; sudden infant death syndrome. That is not even a complete list.

I might comment, Mr. President, that the efforts made by various interest groups, where people suffer from a variety of ailments, is really overwhelming as those groups come to Washington to lobby for an increase in funding for the National Institutes of Health. We had a resolution introduced by the distinguished Senator from Florida, Senator MACK, several years ago calling for the doubling of NIH over the course of 5 years, and it passed 98–0.

Two years ago, when Senator HARKIN and I sought to increase the budget resolution by $1.1 billion, we found it was defeated by 63–37. Last year, when we offered an increase in the budget resolution by $2 billion, it was defeated, my recollection is, by a vote of 57–41. When it comes to translating druthers to dollars, we have not seen the kind of support for NIH funding that I think is really warranted, given all the facts of the case.

We have some 19 cosponsors on the resolution to increase funding by some $2 billion. But, in the course of soliciting our colleagues for cosponsorship on this amendment, we found substantially less than that number stepping forward. When it comes to illness, when you have a loved one with Parkinson's, or a parent with Alzheimer's, or a family member with cancer, or one of the ailments yourself such as heart disease, no sum of money within conception is too much, and is really not enough to really move to conquer that disease. At the National Institutes of Health they do perform miracles.

In the course of last November, NIH came out with disclosures on research on stem cells, which has the potential to be a veritable fountain of youth. The estimate has been given on Parkinson's disease, to be within the range of conquering Parkinson's within 5 years, perhaps 10 years at the outside. As these stem cells replace other disease cells in the body, the sky is the limit as to what can be accomplished. But all of this takes money.

There are still a limited number of research grants which are awarded by the National Institutes of Health, and an increase of $2 billion will be the best spent money which the Federal Government could allocate.

We all know we have a budget in excess of $1.7 trillion, a staggering sum of money. And it is a question of priorities. This, I suggest, is at the top of the line.

Mr. President, if I may, I see my distinguished colleague, Senator HARKIN, has come to the floor. But recognition is determined by the Chair, so I simply yield the floor.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

UNANIMOUS-CONSENT AGREEMENT

Mr. DOMENICI. We are going to vote at 8:01. Before we proceed, let me ask unanimous consent, so everybody will know where we are going. This has been cleared with the two leaders, and Senator LAUTENBERG obviously, and whoever else needs to be conferred with.

I ask unanimous consent that the next four votes occur in a stacked sequence, with 2 minutes between each vote for an explanation, 1 minute on each side, that the other votes in the voting sequence be limited to 10 minutes each.

I further ask that when the Senate resumes the concurrent resolution at 9 a.m. on Thursday there be 10 hours remaining for consideration.

However, for the information of all Senators, these votes will be the last votes of the evening. But any Senator who wishes to remain, we plan to be here open for business all night, if it is necessary. If Senators want to come and offer amendments, we will be here. If they will come and offer them tonight, they will be stacked for an orderly hour tomorrow.

I am hopeful that some Senators—a few—will avail themselves of that time. But I am certain that it will not be 4 o'clock in the morning with Senators still around offering amendments. That is why we proposed the unanimous consent as we have.

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

Mr. LAUTENBERG. Mr. President, if I might say to my colleague, I support the unanimous consent agreement. I want to point out to Senators who are interested in offering amendments that we are here as long as amendments are going to be offered. If there are none offered at the conclusion of the votes, then we are going to be prepared to close shop, as we say. As long as amendments are offered, we are here. If they are not, we are closing up. But there will not be time to drag out tomorrow. We are willing to work all night, if necessary. But we are going to conclude with 10 hours tomorrow, which would then be roughly 35 hours' worth of time spent.

With that, I assume, Mr. President, that the unanimous consent request was agreed to.

Mr. DOMENICI. Mr. President, I want to ask the distinguished Senator, Senator JOHNSON—Senator SPECTER is on the floor—has he joined as a cosponsor of the amendment?

Mr. SPECTER. Mr. President, I ask unanimous consent that I be listed as

an original cosponsor. We have surveyed our committee members. Senator THURMOND, may we list you as an original cosponsor?

Mr. THURMOND. Yes.

Mr. SPECTER. Senator THURMOND, and also Senator TIM HUTCHINSON as cosponsors.

Mr. DOMENICI. I think anybody who wants to join this amendment ought to join it. We are going to let you have a vote, but not without my making an observation about it.

I have been asked not to use strange words to describe amendments. So I will try to be very accurate.

This is a feel-good, do-nothing amendment, and the veterans of the United States ought not think that they are getting $2 billion. As a matter of fact, there is $1.1 billion more than the President in this budget. But, for some, whatever you put in—I should have put $4 billion in. Then we want $7 billion.

The truth of the matter is, this amendment is a do-nothing, feel-good amendment because it requires that we cut some other programs, following the format of the budget. That would mean we would have to cut education, environment, NIH, international affairs, housing, WIC—all of which we heard complaints all day long have been cut too much already. Nonetheless, this amendment chooses to cut none of them and just says we will find it in an allowance, which means all these programs will be cut for this $2 billion.

I do not think that is right. But neither do I want Senators to vote against veterans. So let us all vote ''aye'' and have a great big hurrah about the amendment.

I ask for the regular order.

VOTE ON AMENDMENT NO. 145

The PRESIDING OFFICER. All time has expired. The question is on agreeing to the Ashcroft amendment.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Indiana (Mr. LUGAR), is absent because of a death in the family.

The PRESIDING OFFICER (Mrs. HUTCHISON). Are there any other Senators in the Chamber who desire to vote?

The result was announced, yeas 99, nays 0, as follows:

[Rollcall Vote No. 60 Leg.]

YEAS—99

Abraham	Byrd	Edwards
Akaka	Campbell	Enzi
Allard	Chafee	Feingold
Ashcroft	Cleland	Feinstein
Baucus	Cochran	Fitzgerald
Bayh	Collins	Frist
Bennett	Conrad	Gorton
Biden	Coverdell	Graham
Bingaman	Craig	Gramm
Bond	Crapo	Grams
Boxer	Daschle	Grassley
Breaux	DeWine	Gregg
Brownback	Dodd	Hagel
Bryan	Domenici	Harkin
Bunning	Dorgan	Hatch
Burns	Durbin	Helms
Hollings	Lincoln	Sarbanes
Hutchinson	Lott	Schumer
Hutchison	Mack	Sessions
Inhofe	McCain	Shelby
Inouye	McConnell	Smith (NH)
Jeffords	Mikulski	Smith (OR)
Johnson	Moynihan	Snowe
Kennedy	Murkowski	Specter
Kerrey	Murray	Stevens
Kerry	Nickles	Thomas
Kohl	Reed	Thompson
Kyl	Reid	Thurmond
Landrieu	Robb	Torricelli
Lautenberg	Roberts	Voinovich
Leahy	Rockefeller	Warner
Levin	Roth	Wellstone
Lieberman	Santorum	Wyden

NOT VOTING—1

Lugar

The amendment (No. 145) was agreed to.

AMENDMENT NO. 147

The PRESIDING OFFICER. There will now be 2 minutes of debate equally debated on the Conrad amendment.

The Senate will be in order.

The Senator from North Dakota is recognized.

Mr. CONRAD. I thank the Chair.

Madam President, this amendment is very direct. It creates a lockbox to protect every dollar of Social Security surplus for Social Security. In addition, it creates a lockbox to add 40 percent of the non-Social Security surplus for Medicare.

Medicare is in danger. It is on the brink of insolvency. It is time not only for reform of Medicare, but to add additional resources so the promise of Medicare can be kept.

In addition, this amendment will pay down the debt by $300 billion more than the budget resolution alternative. I ask my colleagues to support this amendment to create a safe lockbox, not only for Social Security but for Medicare. That leaves sufficient resources——

Mr. BURNS. Madam President, the Senate is not in order. The Senator should be heard.

The PRESIDING OFFICER. The Senator's time has expired, but because the Senator from Montana is correct, the Senator may take another 3 seconds to finish.

Mr. CONRAD. I thank the Chair, and I thank my colleague from Montana.

This leaves sufficient resources for $400 billion over the next 10 years for high-priority domestic issues, like education and defense, as well as room for tax reduction. But, fundamentally, it puts Social Security and Medicare first.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from New Mexico.

Mr. DOMENICI. Madam President, this amendment is an anti-tax-relief amendment, plain and simple. Compared to the chairman's mark, which is before you, this amendment increases taxes by $320 billion over 10 years.

As to Medicare, let us get it straight once and for all. What is really incredible is that there is no lockbox for Medicare. There is a wish box. All we do with the money that is claimed for Medicare is apply it against the debt so that it can be spent by anyone anytime. As a matter of fact, if it is done to reduce the debt so as to strengthen the economy, our budget does more than the President plus this amendment by way of deficit reduction.

There is not one nickel in it that is spent on Medicare. It is a wish and a hope. We don't even know we need $320 billion over 10 years.

It violates the Budget Act because it is not germane to the budget, and the vote will be on a motion to waive, which I recommend Senators vote no on.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CONRAD. Madam President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive the applicable sections of the act for the consideration of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to waive the Budget Act in relation to the Conrad amendment No. 147. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Indiana (Mr. LUGAR) is absent because of a death in the family.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 45, nays 54, as follows:

[Rollcall Vote No. 61 Leg.]

YEAS—45

Akaka	Edwards	Levin
Baucus	Feingold	Lieberman
Bayh	Feinstein	Lincoln
Biden	Graham	Mikulski
Bingaman	Harkin	Moynihan
Boxer	Hollings	Murray
Breaux	Inouye	Reed
Bryan	Johnson	Reid
Byrd	Kennedy	Robb
Cleland	Kerrey	Rockefeller
Conrad	Kerry	Sarbanes
Daschle	Kohl	Schumer
Dodd	Landrieu	Torricelli
Dorgan	Lautenberg	Wellstone
Durbin	Leahy	Wyden

NAYS—54

Abraham	Fitzgerald	McConnell
Allard	Frist	Murkowski
Ashcroft	Gorton	Nickles
Bennett	Gramm	Roberts
Bond	Grams	Roth
Brownback	Grassley	Santorum
Bunning	Gregg	Sessions
Burns	Hagel	Shelby
Campbell	Hatch	Smith (NH)
Chafee	Helms	Smith (OR)
Cochran	Hutchinson	Snowe
Collins	Hutchison	Specter
Coverdell	Inhofe	Stevens
Craig	Jeffords	Thomas
Crapo	Kyl	Thompson
DeWine	Lott	Thurmond
Domenici	Mack	Voinovich
Enzi	McCain	Warner

NOT VOTING—1

Lugar

The PRESIDING OFFICER. On this vote the yeas are 45, and the nays are 54. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to. The point of order is sustained, and the amendment falls.

AMENDMENT NO. 151

The PRESIDING OFFICER. We will proceed to the amendment by Senator BOND. There will be 2 minutes equally divided.

The Chair recognizes the Senator from Missouri.

Mr. BOND. Thank you, Madam President.

This amendment is an opportunity for all of our friends who think that the President's budget outlines the plan which we should follow to express themselves by voting for it. The President has said we must save the entire surplus to save Social Security, but the actual details of the plan takes $158 billion out of Social Security over the next 5 years.

The President and the minority leader have said that we need to stay in the caps. This budget plan breaks the caps by $38 billion. These are the actual details. These are the actual plans and the absolute numbers that we think come from the President's budget.

For our friends who believe that the President's budget is a preferable means of charting our spending programs for this coming year, I say vote for this.

I believe it does not fix Medicare. It ignores Medicare. It spends money that should be put into the retiring debt from the Social Security surplus, and I urge my colleagues to vote no.

The PRESIDING OFFICER (Mr. GREGG). The Senator from New Jersey is recognized.

Mr. LAUTENBERG. Mr. President, I think by the description the Senator just offered he tells you what he thinks. He is offering this amendment and saying vote no. What he wants the Democrats to do is to be tricked into moving on this.

Here is one part of it—1,291 pages. If anyone wants to vote for this without inspecting it, unless all of you have reviewed it in detail and have decided that whatever you are concerned about is taken care of in here.

This is not a sincere amendment being offered. What this is, I think, is political chicanery. I urge my opponents to vote against it.

Mr. BOND. I agree.

Mr. LAUTENBERG. I move to table the amendment.

Mr. DOMENICI. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Indiana (Mr. LUGAR), is absent because of a death in the family.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 2, as follows:

[Rollcall Vote No. 62 Leg.]

YEAS—97

Abraham	Feingold	Mack
Akaka	Feinstein	McCain
Allard	Fitzgerald	McConnell
Ashcroft	Frist	Mikulski
Baucus	Gorton	Moynihan
Bayh	Graham	Murkowski
Bennett	Gramm	Murray
Bingaman	Grams	Nickles
Bond	Grassley	Reed
Boxer	Gregg	Reid
Breaux	Hagel	Robb
Brownback	Harkin	Roberts
Bryan	Hatch	Rockefeller
Bunning	Helms	Roth
Burns	Hollings	Santorum
Byrd	Hutchinson	Sarbanes
Campbell	Hutchison	Sessions
Chafee	Inhofe	Shelby
Cleland	Inouye	Smith NH
Cochran	Jeffords	Smith OR
Collins	Johnson	Snowe
Conrad	Kennedy	Specter
Coverdell	Kerrey	Stevens
Craig	Kerry	Thomas
Crapo	Kohl	Thompson
Daschle	Kyl	Thurmond
DeWine	Landrieu	Torricelli
Dodd	Lautenberg	Voinovich
Domenici	Leahy	Warner
Dorgan	Levin	Wellstone
Durbin	Lieberman	Wyden
Edwards	Lincoln	
Enzi	Lott	

NAYS—2

Biden	Schumer

NOT VOTING—1

Lugar

The motion to lay on the table the amendment (No. 151) was agreed to.

AMENDMENT NO. 153

The PRESIDING OFFICER. The question is on agreeing to amendment No. 153 offered by Senator JOHNSON. There is 1 minute on each side equally divided.

The Senator from South Dakota.

Mr. JOHNSON. Mr. President, I respectfully disagree with the chairman's characterization of the amendment. This amendment tonight will put the Senate on record for the first time in support of full funding for veterans' health care. No budget resolution guarantees funding. That is part of the appropriations process. But this amendment will open the door. This amendment will open the door for consideration on the part of the appropriators for the full funding for veterans' health care that is so badly needed.

I yield to the Senator from Minnesota for 30 seconds.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, what is meaningful about this amendment is it provides the necessary funding for decent health care for veterans. And the veterans community will hold all of us accountable. This is a very meaningful vote, I say to my colleagues.

The PRESIDING OFFICER. Who rises in opposition?

The Senator from New Mexico.

Mr. DOMENICI. Mr. President, there is no one in opposition. So I am going to speak.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, I ask that Senators SPECTER, JEFFORDS, HUTCHINSON, MURKOWSKI, and myself be made original cosponsors.

Mr. President, while there is no assurance that veterans' health care is going to be increased by $2 billion, we already increased it $1.1 over the President's budget. I believe everybody should vote for this amendment, nonetheless.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Dakota.

Is there a request for the yeas and nays?

Mr. JOHNSON. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Dakota. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Indiana (Mr. LUGAR) is absent because of a death in the family.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 63 Leg.]

YEAS—99

Abraham	Enzi	Lott
Akaka	Feingold	Mack
Allard	Feinstein	McCain
Ashcroft	Fitzgerald	McConnell
Baucus	Frist	Mikulski
Bayh	Gorton	Moynihan
Bennett	Graham	Murkowski
Biden	Gramm	Murray
Bingaman	Grams	Nickles
Bond	Grassley	Reed
Boxer	Gregg	Reid
Breaux	Hagel	Robb
Brownback	Harkin	Roberts
Bryan	Hatch	Rockefeller
Bunning	Helms	Roth
Burns	Hollings	Santorum
Byrd	Hutchinson	Sarbanes
Campbell	Hutchison	Schumer
Chafee	Inhofe	Sessions
Cleland	Inouye	Shelby
Cochran	Jeffords	Smith (NH)
Collins	Johnson	Smith (OR)
Conrad	Kennedy	Snowe
Coverdell	Kerrey	Specter
Craig	Kerry	Stevens
Crapo	Kohl	Thomas
Daschle	Kyl	Thompson
DeWine	Landrieu	Thurmond
Dodd	Lautenberg	Torricelli
Domenici	Leahy	Voinovich
Dorgan	Levin	Warner
Durbin	Lieberman	Wellstone
Edwards	Lincoln	Wyden

NOT VOTING—1

Lugar

The amendment (No. 153) was agreed to.

Mr. DOMENICI. Mr. President, I wish to call to the attention of the Senate technical corrections to certain descriptions contained in Senate report 106–27, which accompanies the Concurrent Resolution on the Budget for FY 2000.

On page 266, the description of the Conrad amendment should read:

(3) Conrad amendment to increase revenues relative to the Chairman's mark by $320 billion, to require that any revenue reduction be offset with spending reductions or revenue increases, to create a Medicare Surplus Reserve, and to create a new 60-vote point of order in the Senate against legislation that would reduce that reserve.

On page 273, the description of the Lautenberg amendment should read:

(27) Lautenberg amendment to increase revenues relative to the Chairman's mark by $320 billion, to require that any revenue reduction be offset with spending reductions or revenue increases, and to create a Medicare Surplus Reserve.

Mr. KYL. Mr. President, today, the Senate begins consideration of a budget for the fiscal year that begins on October 1. When it passes, it will be only the second budget in the last 30 years that will be balanced.

That will be a tremendous achievement considering that it was as recently as 1995 that President Clinton sent Congress a budget that would have produced annual deficits in the range of $200 billion for the foreseeable future. The budget recommended to us by the Budget Committee will effectively balance the budget, and it will do so even without relying on the surplus from the Social Security trust fund. The small deficit that is projected now is likely to be eliminated once the Congressional Budget Office updates its revenue estimates this summer.

Mr. President, the budget we have before us will ensure that the Social Security surplus is set aside so that it cannot be spent on other government programs—$1.8 trillion over the next 10 years. Many of us may have heard President Clinton promise to do the same, but when he sent his budget to Capitol Hill we found that he is actually proposing to raid the Social Security trust fund for $158 billion over the next five years alone. Moreover, we found that the President's plan to deposit 62 percent of the unified budget surplus into the trust fund was nothing more than an accounting gimmick. According to the Comptroller General, David Walker, ''the changes to the Social Security program [recommended by the President] will thus be more perceived than real: although the Trust Funds will appear to have more resources as a result of the proposal, in reality nothing about the program has changed.'' In other words, the Clinton plan fails to delay the cash-flow problem expected in the year 2013 by a single year.

Federal Reserve Board Chairman Alan Greenspan also voiced opposition to the President's risky plan to invest a portion of the Social Security Trust Funds in the stock market, noting that ''even with Herculean efforts,'' he doubted that investment decisions could be insulated from political pressures. The Clinton plan would allow federal bureaucrats to play politics with people's retirement savings. That is wrong.

By contrast, our budget will not put Social Security at risk. It will protect the Social Security surpluses so that they cannot be raided for the President's other spending initiatives.

Our budget will help preserve Medicare, as well. It will increase spending on the nation's health care program for seniors by an average of $20 billion a year for the next 10 years. That is in lieu of the $9 billion reduction in Medicare spending that the President's budget recommends.

Mr. President, we will cut the public debt in half over the next decade by abiding by the spending limits Congress and the President agreed to two years ago. The Clinton budget, by contrast, would bust the spending limits by more than $20 billion this year alone and result in only half as much debt reduction over the next decade.

Most importantly, the Senate budget proposes to return the rest of the emerging surpluses to taxpayers. Congress would still have to pass a separate bill later in the year that sets out precisely what form the tax relief would take, but there are many ideas. They range from a 10 percent across-the-board reduction in income-tax rates to more targeted relief, like repeal of the marriage penalty, elimination of death taxes, and reductions in capital-gains taxes. There are other ideas, too. Any of them is preferable to President Clinton's plan to raise $100 billion in new taxes and fees even though budget surpluses are mounting.

Although we have succeeded in balancing the unified budget, we still have two very different visions of where we should be headed. The President has proposed myriad new spending programs—77 new programs in his State of the Union address—paid for out of the Social Security surplus, Medicare, and new taxes and fees. The Senate budget protects Social Security and Medicare, and abiding by the spending limits approved just two years ago, we begin to pay down the debt and provide long overdue tax relief to the American people.

I believe the Senate's approach is a better one. I hope my colleagues will join me in voting aye.

Several Senators addressed the Chair.

Mr. DOMENICI. Mr. President, let me just say, according to the unanimous consent agreement, we are going to stay here so long as Senators want to offer amendments. They can either offer them and/or pull them, set them aside, or they can offer them and debate them tonight. I am going to have to leave shortly, but I will have somebody in my stead. We were not finished with the SPECTER amendment. I assume it is the regular order. It is not?

The PRESIDING OFFICER. The Senator is correct.

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

Mr. DOMENICI. Sure.

Mr. REID. In the morning—and I am confident this is appropriate, cleared with the manager of the bill on this side—we would like to line up three amendments that we will offer in order of Democrat-Republican-Democrat—in the right order.

Mr. DOMENICI. Do that tonight?

Mr. REID. It would be appropriate so people will be here in the morning to do their work. It was suggested Senator KENNEDY would offer the first Democratic amendment, after that a Daschle and Dorgan, after that one by John Kerry. That should get us through this side a good part of the morning.

Mr. DOMENICI. We are not going to have any votes before 11. And you are suggesting if we are making a list in the morning, those are the three that your side wants?

Mr. REID. First thing in the morning. Otherwise people will offer whatever they want tonight.

Mr. DOMENICI. But we will offer in between, ours, also.

Mr. REID. That is right. So I am saying those would be the three first Democratic amendments in the morning.

Mr. DOMENICI. So how would we do that? Whatever we take tonight would be set aside in any event, and then we would say when they are finished they would be set aside and the first three amendments to be taken up for votes tomorrow would be——

Mr. REID. I would say to the manager of the bill, it just allows more order here so people know when they should come so we are not waiting around for people to do things.

So, if I could, or if you would ask that in the form of a unanimous consent request, it would be appreciated.

We will try to have three also in the morning. We don't have any lack of amendments. There will be plenty. We will be glad to accommodate in that regard.

Mr. REID. Could we do that, I say to my friend from New Mexico, a unanimous consent request, if that happened in the morning, Republican and Democrat, six amendments? Those would be the first six? I mentioned the three Democrats, and you would have any that you believe are appropriate for Republican amendments.

Mr. DOMENICI. Mr. President, let's try that.

When we convene in the morning——

The PRESIDING OFFICER. Is the Senator propounding a unanimous consent request?

Mr. DOMENICI. I am going to. Sometimes it takes a little while. I am getting tired and sleepy.

The only amendment that could be ahead of all of this would be Senator SPECTER's amendment. And if you have not used all your time tonight, you will get some in the morning.

Mr. HARKIN. That's right.

Mr. DOMENICI. So when that is finished, when they have completed the pending amendment, then I ask unanimous consent that the next six amendments be alternatively spread between Democrat and Republican and that the three Democrat amendments, when they are supposedly to be called up, will be first——

Mr. REID. First, Senator KENNEDY; second, Senators DASCHLE and DORGAN; and third, Senator JOHN KERRY.

Mr. DOMENICI. Could you tell us what the second one is?

Mr. REID. One is dealing with agriculture.

Mr. DOMENICI. OK. Then the Republicans will appropriately assign their amendments. We will make our own arrangements on this side as to which ones go when.

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

Mr. CRAIG. Mr. President, is the pending business the Specter amendment?

The PRESIDING OFFICER. The Senator is correct.

Mr. CRAIG. The Senator from Iowa would debate that; is that the intent at this time? Would the Senator from Iowa mind if I introduced and laid aside an amendment at this moment? It would take me a half minute.

Mr. HARKIN. Yes, of course.

AMENDMENT NO. 146

(Purpose: To modify the pay-as-you-go requirement of the budget process to require that direct spending increases be offset only with direct spending decreases)

Mr. CRAIG. Mr. President, I ask unanimous consent that I be allowed to introduce an amendment without laying the Specter amendment aside. That amendment is at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Idaho [Mr. CRAIG], for himself, Mr. KERREY, Mr. HELMS, and Mr. INHOFE, proposes an amendment numbered 146.

The amendment is as follows:

At the end of title II, add the following:

SEC. . REQUIREMENT TO OFFSET DIRECT SPENDING INCREASES BY DIRECT SPENDING DECREASES.

(a) SHORT TITLE.—This section may be cited as the ''Surplus Protection Amendment''.

(b) IN GENERAL.—In the Senate, for purposes of section 202 of House Concurrent Resolution 67 (104th Congress), it shall not be in order to consider any bill, joint resolution, amendment, motion, or conference report that provides an increase in direct spending unless the increase is offset by a decrease in direct spending.

(c) WAIVER.—This section may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(d) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this section shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the concurrent resolution, bill, or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(e) DETERMINATION OF BUDGET LEVELS.—For purposes of this section, the levels of direct spending for a fiscal year shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

Mr. CRAIG. Mr. President, this is a pay-go style amendment that would be applied to all new mandatory spending. I would seek to debate that in the morning, and I ask unanimous consent that it be laid aside.

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

Mr. CRAIG. Mr. President, I thank the Senator from Iowa for yielding.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

AMENDMENT NO. 157

Mr. HARKIN. Mr. President, may I ask the chief cosponsor of the Specter amendment how much time is left on our side?

The PRESIDING OFFICER. The Senator from Iowa has 15 minutes on the proponent's side of the amendment.

Mr. HARKIN. Five zero?

The PRESIDING OFFICER. Fifteen.

Mr. HARKIN. I thought we had an hour at a time, and I thought the only person who spoke on it is Senator SPECTER. How much time do we have on our amendment?

Mr. DOMENICI. It was cut in half by unanimous consent.

The PRESIDING OFFICER. By a previous order, the time on the amendment was reduced to an hour evenly divided, and the Senator from Pennsylvania consumed 15 minutes.

Mr. DOMENICI. Mr. President, I wonder if when the Senator is finished, obviously, we will not have used any time—we haven't yet, have we?

The PRESIDING OFFICER. The Senator is correct.

Mr. DOMENICI. I do not know whether we would do that tonight or not. But Senator HUTCHINSON would like to follow that with 5 minutes. I would ask consent that he be allowed 5 minutes following that amendment.

The PRESIDING OFFICER. Is there objection?

Mr. DOMENICI. He will be joined in that 5 minutes, 2 minutes that you requested of me.

Mr. REID. Reserving the right to object, there have been arrangements made on this side for tonight——

Mr. HARKIN. Mr. President, parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. I believe I have the floor. I just hope this time is not running against my 15 minutes.

The PRESIDING OFFICER. The time is not being charged the Senator from Iowa.

Mr. HARKIN. I thank the President.

Mr. REID. Mr. President, I say to the manager of the bill, both managers of the bill, it is my understanding that on this side tonight the order of offering amendments was going to be Senator DODD, Senator REED, Senator GRAHAM, two for Senator GRAHAM; is that right?

Mr. LAUTENBERG. Right.

Mr. REID. Then following that, Senator BOXER, if she chose, for a couple of amendments. And Senator SCHUMER also had one after Senator BOXER.

Mr. LAUTENBERG. OK.

Mr. DODD. Mr. President, a further inquiry. What does that do tomorrow to voting? Does this mean those are the first votes?

Mr. DOMENICI. The first votes we have decided upon, the three that the Senator asked me for.

Mr. DODD. So these will come after the first?

Mr. DOMENICI. In some order. Let me just say to the Senator, I understand what you have agreed to among yourselves, but the Senate hasn't agreed to that.

Mr. REID. We certainly understand that.

Mr. DOMENICI. What we would like to do is ask, on our side, if we might see if there are any Republicans that want to offer amendments, and they ought to be able to be worked into that.

Mr. REID. We understood that.

Mr. LAUTENBERG. I agree with that.

Mr. DOMENICI. Why don't we attempt to do that. Who do we have on our side that has anything this evening? Senator COLLINS, you have an amendment? OK. So we——

Mr. DODD. Why doesn't Senator HARKIN start talking?

Mr. DOMENICI. HARKIN is going to go, and then Senator COLLINS. Then you can go after that.

Mr. DODD. Are you going to stay and listen to the debate?

Mr. DOMENICI. I am going to have somebody in my stead who will whisper everything to me in the morning when I arrive.

Mr. REID. Mr. President, I know the hour is late. I do not want to take from Senator HARKIN's time. I ask unanimous consent that I be allowed to speak for 2 minutes as in morning business. Senator BRYAN is a grandfather for the first time today, and I would like to take a couple minutes to recognize my friend.

The PRESIDING OFFICER. Is there objection?

Mr. DOMENICI. I don't object, but I would like to couple that with—do you want to go now or after he finishes his time?

Mr. REID. He has agreed that I could speak prior to him.

Mr. DOMENICI. Then immediately following the completion of your debate, then I would like Senator HUTCHINSON—Senator, how much time did

you want with Senator HUTCHINSON? Why don't we give you 2, if you wanted 1.

Mrs. LINCOLN. One or 2 minutes.

Mr. DOMENICI. That they be allowed to speak for 7 minutes, and then we will proceed with whatever order is decided here.

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

The Senator from Nevada.

Mr. REID. Mr. President, I yield to the Senator from Florida.

PRIVILEGE OF THE FLOOR

Mr. GRAHAM. Mr. President, I ask unanimous consent that three congressional fellows in my office, Sean McCluskie, Matt Barry, and Angela Ewell-Madison, be granted the privilege of the floor during further consideration of the legislation.

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

The Senator from Nevada.

CONGRATULATIONS TO SENATOR BRYAN

Mr. REID. Mr. President,

How confusing the beams from memory's lamps are;
One day a bachelor, the next a grandpa.
What is the secret of the trick?
How did I get old so quick?

—*by Ogden Nash.*

Mr. President, my friend, RICHARD BRYAN, is a grandfather today for the first time. His lovely wife Bonnie and he are extremely excited. Their oldest son, who is a cardiologist in Reno, at 5:30 eastern time last evening had a baby, their first child, and Senator BRYAN's first grandchild.

I can't think of a person I know who is a better role model for a child than Senator BRYAN. I hope he and Bonnie have all the happiness that a grandchild can bring. I know that they will. I hope this beautiful boy, Conner Hudson Bryan, will follow in the footsteps of his father and enter public service.

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2000

The Senate continued with the consideration of the concurrent resolution.

AMENDMENT NO. 157

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I yield myself 10 minutes.

I am pleased to join my chairman, Senator SPECTER, in offering this amendment. Two years ago, the Senate went on record, 98 to 0, committing to double the NIH budget over 5 years.

Last year, Senator SPECTER and I were able to make good on that pledge by providing the biggest increase ever for medical research. We worked hard to make it happen. I thank all my Senate colleagues for working with us on that historic accomplishment.

The omnibus appropriations bill for this year contains a $2 billion, or a 15-percent, increase for the National Institutes of Health. That 15 percent puts us on track to meet our commitment to double the NIH budget for 5 years, which, I repeat, was voted on here 98 to 0.

Unfortunately, if we pass this budget resolution as it is, we will fall far short of the 15-percent increase necessary to maintain that commitment.

This budget resolution shortchanges Americans' health and shortchanges our efforts to control health care costs and keep Medicare solvent in the long run.

At the same time that this budget shortchanges basic investments in health care, the budget before us increases the Pentagon budget by $18 billion—$8.3 billion more than the President's request—to defend America against some ill-defined international threat.

What this budget should do is spend at least $2 billion more to defend us against the very real threats here at home every day —the threat of cancer, the threat of Alzheimer's, the threat of diabetes, the threat of osteoporosis.

Recently, under the leadership of Senator SPECTER, we had a hearing, and one of our witnesses was Gen. Norman Schwarzkopf. He was in town to urge Congress to increase its investment in medical research. He understands better than most that we cannot mount a strong defense without adequate resources. While we made some progress last year, we still have a long way to go.

Under the budget before us, NIH will only be able to fund about one in four meritorious research proposals. Those are research proposals that have gone through the peer review process deemed worthy of investigation. Only one in four will be funded.

In the next 30 years, the number of Americans over age 65 will double. Medical research is essential to help reduce the enormous economic and social burdens posed by chronic diseases that impact our elderly from Alzheimer's and arthritis to cancer and Parkinson's and stroke.

Take Alzheimer's disease. It alone costs the Nation over $100 billion a year. We know that simply delaying the onset by 5 years could save us over $50 billion a year. Delaying the onset of heart disease by 5 years would save over $69 billion a year. That is why I often say to my colleagues and others, if you really want to save Medicare, invest in medical research. That will take care of the looming deficit in Medicare. We are on the verge of breakthroughs in these and other areas. Now is the time to boost our investment to make sure that our Nation's top scientists can turn these opportunities into realities.

In addition to funding more research grants, another area that is critical to making the breakthroughs we know are possible is making sure we have state-of-the-art laboratories and equipment. However, most of the research is currently being done in laboratories built in the 1950s and 1960s.

According to the most recent National Science Foundation study, 47 percent of all biomedical research performing institutions classified the amount of biological science research space as inadequate, and 51 percent indicated they had an inadequate amount of medical research space. So the need is great.

Our amendment is very simple. It ensures that the budget resolution will provide a $2 billion increase to the National Institutes of Health for fiscal year 2000, and it is fully paid for. It is paid for by the very industry that has caused most of the death and disease in this country.

As I said before, Mr. President, tobacco kills more Americans each year than alcohol, car accidents, suicides, AIDS, homicides, illegal drugs, and fires all put together.

Simply put, our amendment turns tobacco profits toward the cure for the cancer, emphysema, and heart disease that it causes.

During the dealings that led to the tobacco settlements, the tobacco lawyers made sure that all the payments they made to the States would be considered ''normal and necessary business expenses.'' But there is nothing ordinary about this settlement. The tobacco industry has peddled a product that has killed millions of Americans through their deceptive advertising and sales practices. As a result of that loophole in the settlement, the tobacco industry can write off 35 percent of their entire settlement payment. That means American taxpayers, not big tobacco, will have to cough up as much as 35 percent of the cost, $2 billion this year alone, and continuing the next 25 years of the tobacco settlement.

In effect, the tobacco settlement is a $70 billion tax on the American people. What our amendment says is that basically the tobacco companies will not be able to deduct from their Federal taxes the amount of money that they pay to the States for this settlement. The American people have paid enough. To make them pay an additional $70 billion to cover up for the tobacco companies' tax deductions for their settlements is adding insult to death and injury.

Let me add one other thing, Mr. President. I have heard there is some misinformation floating out there about our amendment. Let me be clear. Our amendment would have absolutely no impact on the amount of settlement funds going to the States. The settlement has a clause that requires a dollar-for-dollar reduction in payments to the States if additional taxes are raised on tobacco and spent by the States, if the money is remitted to the States. Not one penny of the SPECTER amendment would go to the States but would all go to the National Institutes of Health. Therefore, it in no way violates that provision of the settlement.

Mr. President, I have a letter dated today from the Congressional Research

Service that makes it very clear that our amendment does not violate the master settlement agreement made between the States and tobacco companies. I ask unanimous consent that the letter be printed in the RECORD.

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

MEMORANDUM

To: Senate Committee on Appropriations, Attention: Mary Dietrich.

From: Stephen Redhead, Specialist in Public Health, Domestic Science Policy Division.

Subject: MSA Federal Legislation Offset.

Under Section X of the Master Settlement Agreement (MSA), annual payments to states are subject to a federal tobacco-legislation offset: If new federal legislation that requires tobacco companies to make payments (''settlement payments, taxes, or any other means'') to the federal government is enacted on or before November 30, 2002, and some portion of that money is made available to the states as (i) unrestricted funds, or (ii) earmarked for health care (including tobacco-related health care), those payments may be offset, dollar for dollar, from the annual payments to states.

S. Con. Res. 20 proposes federal legislation that would disallow the tobacco companies' federal income tax deduction for the MSA payments and use $1.4 billion of the resulting revenues to fund biomedical research at the National Institutes of Health (NIH). There is some concern that such legislation might lead to a reduction in the MSA payments to states by triggering the federal tobacco-legislation offset.

Although legislation disallowing a federal income tax deduction for tobacco settlement payments meets the Section X definition above, earmarking a portion of the funds for NIH research would not appear, by itself, to satisfy the criterion that money be ''made available'' to the states. NIH awards grants to individual researchers and research institutions under a variety of grant programs, but not to states.

S. Con. Res. 20 might very possibly lead to a reduction in state settlement payments because of the MSA's volume-of-sales adjustment, which links the payments to the number of packs of cigarettes sold. If the companies are disallowed the federal tax deduction, then they will have to increase prices to raise the necessary revenue to pay the taxes. The companies have already increased prices by 75 cents a pack over the past 2 years, which appears to have reduced consumption. If the additional price increase further depresses consumption, then under the volume-of-sales adjustment the states' payments will be reduced proportionately.

Mr. HARKIN. Mr. President, let me close by saying that we went on record 98–0 to double the NIH budget over the next 5 years. Last year, Senator SPECTER and I and others were able to put that 15-percent increase in there to get us on that road. This budget this year pulls the rug out from under that.

The people of America want us to invest in medical research. They want us to double the NIH budget. They believe it is important.

In a recent poll taken of the American people, more than 67 percent support doubling the research budget at NIH; 85 percent said it is important for us to maintain our leadership in medical research; 61 percent of the American people polled said they would be willing to pay $1 more a week in taxes to increase health research. The support is there.

There is no reason why the tobacco companies ought to be able to deduct from their Federal taxes the money that they are giving to the States in that settlement. They wrote it in that agreement, but that does not bind us.

This amendment does not violate the agreement. What it does is it saves the American taxpayers over $70 billion that they will have to pay to save the tobacco companies their money.

This amendment also saves Medicare—by putting this money into medical research to help solve the diseases of Alzheimer's, osteoporosis, arthritis, and diabetes. If you want to save Medicare, adopt the Specter amendment. If you want to save the taxpayers money, adopt the Specter amendment. If you want to save peoples' lives, adopt the Specter amendment.

Mr. President, how much time do we have remaining on our side?

The PRESIDING OFFICER. Five minutes 22 seconds.

Mrs. FEINSTEIN. Mr. President, today I am pleased to sponsor the amendment to increase funding for health research by $2 billion. I do so because we must confront disease as seriously as we confront war. This means we must support our brightest minds, we must have a clear battle plan and we must find the resolve to win the war against disease.

This amendment comes on the heels of several previous efforts. First, in 1997, the Senate adopted the Mack-Feinstein amendment 98 to 0, urging Congress to double the budget of the National Institutes of Health over 5 years. Second, last year, Congress gave the National Institutes of Health an increase of 15 percent, funding NIH at $16 billion, the first step toward doubling. Third, on February 2, when we learned that the President's FY 2000 budget proposed only a 2 percent increase, not even enough to keep up with inflation, I wrote the President and urging instead that NIH funding be doubled by 2004.

It is a sad comment on our nation that the National Institutes of Health in FY 1999 can only fund 31 percent of grant applications. grants. The National Cancer Institute can only fund 31 percent. This is less than one-third of applications worthy of funding. This low funding rate leaves a vast wealth of knowledge unobtained, unexplored, diseases not cured and not treated.

There are many scientifically promising areas of research to which these funds could be devoted. They include gaining a clearer understanding of neural development; improving identification of inherited mutations which contribute to cancer risk; better understanding the interplay between genetics and environmental risk factors; uncovering the causes of over 5,000 known rare diseases affecting over 20 million Americans.

In cancer, a special interest of mine, the President requests only a 2 percent increase in FY 2000. NCI Director Dr. Richard Klausner has said that with this minimal increase, NCI would fund 10 percent fewer grants, according to the February 12 Cancer Letter. The National Cancer Advisory Board said this budget will ''seriously damage the National Cancer Program.''

Last September, the Senate Cancer Coalition which I cochair, held a hearing for the Cancer March who said that cancer has reached epidemic proportions and if current rates continue, one quarter of our population will die from cancer. Because of the aging of the population, the incidence of cancer will reaching ''staggering proportions'' by 2010, with increase of 29 percent in incidence and 25 percent in deaths, at a cost of over $200 billion per year. They argued that these compelling statistics call for raising funding for cancer research to $10 billion by 2003, a 20 percent increase each year.

The National Cancer Institute has identified 5 promising areas of research in its FY 2000 ''bypass budget.'' They are as follows: (1) Cancer genetics, identify and characterize every major human gene predisposing to cancer. (2) Preclinical models of cancer, study genes and effects of alterations of them in animals ; (3) Diagnostic technologies, to improve the sensitivity of technologies to detect smaller numbers of tumor cells; (4) Better understanding the unique characteristics of cells and why it turns into a cancerous cell.

There are still many—too many—diseases for which we have no cure. This year, 1.2 million cases will be diagnosed this year and 563,100 Americans will die. But we spend one-tenth of one cent of every federal dollar on cancer research. The mortality rates for many cancers, like prostate, liver, skin and kidney, continue to increase. AIDS has surpassed accidents as the leading killer of young adults; it is now the leading cause of death among Americans ages 25 to 44. Diabetes and asthma are rising. 40,000 infants die each year from devastating diseases. Seven to 10 percent of children are learning disabled. Birth defects affecting function occur in 7% of deliveries or 250,000 of births.

The baby boom generation is getting older. Over the 30 years, the number of Americans over age 65 will double. As our population ages, we are seeing an increase in chronic and degenerative diseases like arthritis, cancer, osteoporosis, Parkinson's and Alzheimer's. For example, the 4 million people with Alzheimer's Disease today will more than triple, to 14 million, by the middle of the next century—unless we find a way to prevent or cure it. Health care costs will grow exponentially and we see that in part reflected in our budget debates over Medicare and Medicaid expenditures. The total annual cost of Alzheimer's today is $100 billion. By delaying the onset by 5 years, we can save $50 billion annually.

In January, we learned from the Institute of Medicine's study, The Unequal Burden of Cancer, that not all segments of our population benefit fully from our advances in understanding cancer. African-American males develop cancer 15 percent more frequently than white males. Stomach and liver cancers are more prevalent among Asian Americans. Cervical cancer strikes Hispanic and Vietnamese American women more than others. Many ethnic minorities experience poorer cancer survival rates than whites. American Indians have the lowest cancer survival rates of any U.S. ethnic group. This study reported that by 2050 there will be no majority population in the U.S. And our hearings of the Cancer Coalition have revealed that minorities are underrepresented in cancer clinical trials.

Discoveries from health research can reduce health care costs. Cancer costs the economy $104 annually; heart disease, $128 billion; diabetes, $138 billion. Research can cuts costs.. A delay in the onset of stroke could save $15 billion and a delay in the onset of Parkinson's disease could save $3 billion annually. For every $1.00 spent on measles/mumps/rubella vaccine, $21.00 is saved. For the diphtheria/tetanus/pertussis vaccine, $29 is saved. Reducing hip fractures, the cause of one in five nursing home admissions can cut nursing home costs by $333 million in one year alone. Delaying the onset of hearing impairment by 5 years in the 30 percent of adults age 65 to 75 who have impairment, can save $15 billion annually.

The United States is the world's leader in developing sophisticated treatments for illnesses and diseases, in making important medical discoveries and in improving human life expectancy. Yet, we are spending only three cents of every health care dollar spent in this country on health research. NIH's budget is less than one percent of the federal budget.

Funding NIH like a yoyo discourages the medical community from pursuing research. It is like a damper on ideas, on promising lines of scientific pursuit, that get snuffed out while being born. The National Academy of Sciences has said that we are not producing enough research scientists. That is in part due to the lack of assurance that health research has the priority it deserves.

We can do better.

The public is with us. A 1998 Research America poll found that most Americans support doubling funding for medical research in 5 years and over 60 percent of people in 25 states said they are willing to contribute another $1.00 per week in taxes for health research.

Mr. President, when President Franklin Roosevelt dedicated the new National Institutes of Health research facility on October 31, 1940 in the middle of World War II, he said, ''We cannot be a strong nation unless we are a healthy nation. And so we must recruit not only men and materials but also knowledge and science in the service of national strength . . . I dedicate [this Institute] to the underlying philosophy of public health; to the conservation of life; to the wise use of the vital resources of the nation.'' That challenge is no less important today as it was in 1940.

I believe the public wants us to launch a war on disease and that the public sees medical research as an important priority of their federal government. I urge passage of this amendment.

Mr. HARKIN. Mr. President, I reserve the remainder of the time for Senator SPECTER in the morning, and I yield the floor.

The PRESIDING OFFICER. Who seeks time?

AMENDMENT NO. 159

(Purpose: To express the sense of the Senate on TEA–21 funding and the States)

Ms. COLLINS. I ask unanimous consent that the pending amendment be set aside and send an amendment to the desk.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS] proposes an amendment numbered 159.

Ms. COLLINS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end of title III, insert the following:

SEC. . SENSE OF THE SENATE ON TEA–21 FUNDING AND THE STATES.

(a) FINDINGS.—The Senate finds that—

(1) on May 22, 1998, the Senate overwhelmingly approved the conference committee report on H.R. 2400, the Transportation Equity Act for the 21st Century, in a 88–5 roll call vote;

(2) also on May 22, 1998, the House of Representatives approved the conference committee report on this bill in a 297–86 recorded vote;

(3) on June 9, 1998, President Clinton signed this bill into law, thereby making it Public Law 105–178;

(4) the TEA–21 legislation was a comprehensive reauthorization of Federal highway and mass transit programs, which authorized approximately $216,000,000,000 in Federal transportation spending over the next 6 fiscal years;

(5) section 1105 of this legislation called for any excess Federal gasoline tax revenues to be provided to the States under the formulas established by the final version of TEA–21; and

(6) the President's fiscal year 2000 budget request contained a proposal to distribute approximately $1,000,000,000 in excess Federal gasoline tax revenues that was not consistent with the provisions of section 1105 of TEA–21 and would deprive States of needed revenues.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution and any legislation enacted pursuant to this resolution assume that the President's fiscal year 2000 budget proposal to change the manner in which any excess Federal gasoline tax revenues are distributed to the States will not be implemented, but rather any of these funds will be distributed to the States pursuant to section 1105 of TEA–21.

Ms. COLLINS. Mr. President, I rise to offer a sense-of-the-Senate resolution to give the Senate the opportunity to express its clear commitment to ensuring that Federal gasoline tax revenues in fiscal year 2000 be distributed to the 50 States in accordance with the formula in the 1998 highway bill, the Transportation Equity Act for the 21st Century—or TEA–21 bill, as it is frequently called.

Mr. President, let me explain the action that has prompted my amendment and my concern. President Clinton's fiscal year 2000 budget contains a proposal which essentially changes the gas tax rules in the middle of the game. The President would distribute approximately $1 billion in higher-than-expected Federal gas tax revenues to a variety of transportation projects, rather than following the formula in the current law. Instead of distributing these extra moneys to the States, as required by the 1998 highway bill, enacted only 9 months ago, the President would divert these funds to other projects.

To be precise, section 1105 of last year's highway bill expressly provides that any additional Federal gas tax revenues above the levels envisioned in the act should be distributed to 50 States under the highway bill's formulas. These funds are extremely important to the States. They support a variety of important transportation programs authorized by the TEA–21 bill.

It now appears that the Federal Government will receive roughly $1.5 billion in extra Federal gasoline tax revenues next year. The President, however, proposes to take $1 billion of these extra revenues and spend them on a variety of Federal transportation programs, contravening current Federal law.

Mr. President, if the full $1.5 billion were allocated to the States under existing law, the State of Maine would receive roughly $7 million in much needed additional highway funds in fiscal year 2000. Under the President's proposal, however, which diverts $1 billion of these gasoline tax funds, the State of Maine would receive only $3.4 million in extra highway funds. This is a reduction of more than 50 percent in the funds that would otherwise be allocated to the State of Maine.

In short, if President Clinton's proposal were implemented, the State of Maine would lose approximately $3.6 million in critically needed Federal highway funds next year. The President's plan is unfair to Maine, it is unfair to the other States, and it should not be implemented. It changes course midstream in a way that harms our States' ability to meet their transportation needs. States should be able to rely on the Federal Government to abide by the commitment that it made only last May.

Mr. President, I am very pleased that the Budget Committee's report accompanying the budget resolution states as follows:

The committee-reported resolution does not assume the President's proposal to change the distribution of additional Highway Trust Fund revenues under TEA–21.

My sense-of-the-Senate resolution simply clarifies this language and reiterates the intent behind it. That is, that we should follow the dictates of the 1998 highway bill and allow any and all extra Federal gas tax moneys to go to the States under the terms and the conditions of the highway law.

Approving the sense-of-the-Senate resolution would allow the Senate to clearly express its disapproval of the President's plan. We should not change the rules. We should follow the allocation in the highway bill. We should keep the promise that we made just last May.

I yield the floor.

Mr. DODD. I am listening to the argument the Senator has made, and I am curious. Is there a chart or list that would inform us how our States would be doing under this different formula of which we ought to be aware?

Ms. COLLINS. I am happy to attempt to produce that information for the Senator from Connecticut.

It is a concern of many States that they would receive less money under the President's budget than they would receive if the highway bill were allowed to just work under current law.

Mr. DODD. Mr. President, if my colleague would yield further, coming from the Northeast and New England, we have recently seen stories in newspapers of gas prices going up in the peak travel season for our States. I think it may be national in scope, but we feel it particularly in the Northeast.

I commend my colleague from Maine for making this proposal. I think it can be a great help, particularly when we find the battle over some of the formulas, and where need exists. Certainly the Senator from Maine has a great need with a lot of roads, a lot of highways, and a relatively small population.

It is an important amendment. I commend her for that. I might join her as a cosponsor in it.

Ms. COLLINS. I very much welcome the support of the Senator from Connecticut.

Mr. LAUTENBERG. Mr. President, it is my understanding that in terms of the manager, the chairman of the Budget Committee, this is acceptable. As far as I am concerned, it would be acceptable on our side. Therefore, it is fair to say we will accept it.

Ms. COLLINS. I urge adoption of the amendment.

The PRESIDING OFFICER (Mr. HUTCHINSON). The question is on agreeing to the amendment.

The amendment (No. 159) was agreed to.

Mr. LAUTENBERG. I move to reconsider the vote.

Ms. COLLINS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Ms. COLLINS. I thank the chairman and the ranking minority member of the Budget Committee for their cooperation.

Mr. DODD. I want to take note. I think it was my persuasive arguments that persuaded the ranking Democrat to support the amendment.

AMENDMENT NO. 160

(Purpose: To increase the mandatory spending in the Child Care and Development Block Grant by $7.5 billion over five years, the amendment reduces the resolution's tax cut and leaves adequate room in the revenue instructions for targeted tax cuts that help families with the costs of caring for their children, and that such relief would assist all working families with employment related child care expenses, as well as families in which one parent stays home to care for an infant)

Mr. DODD. Mr. President, I ask unanimous consent that the pending amendment be set aside, and I send an amendment to the desk and ask for its immediate consideration.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Connecticut [Mr. DODD], for himself, and Mr. JEFFORDS, Mr. KENNEDY, Mr. WELLSTONE, Mrs. MURRAY, Mr. BINGAMAN, Mr. JOHNSON, Mr. KOHL, and Mr. KERRY, proposes an amendment numbered 160.

Mr. DODD. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 3, strike beginning with line 5 through page 5, line 14, and insert the following:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution—

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2000: $1,401,979,000,000.
Fiscal year 2001: $1,435,931,000,000.
Fiscal year 2002: $1,455,992,000,000.
Fiscal year 2003: $1,532,513,000,000.
Fiscal year 2004: $1,586,965,000,000.
Fiscal year 2005: $1,650,257,000,000.
Fiscal year 2006: $1,683,438,000,000.
Fiscal year 2007: $1,737,646,000,000.
Fiscal year 2008: $1,807,517,000,000.
Fiscal year 2009: $1,870,515,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2000: $0.
Fiscal year 2001: −$6,716,000,000.
Fiscal year 2002: −$52,284,000,000.
Fiscal year 2003: −$30,805,000,000.
Fiscal year 2004: −$47,184,000,000.
Fiscal year 2005: −$60,639,000,000.
Fiscal year 2006: −$107,275,000,000.
Fiscal year 2007: −$133,754,000,000.
Fiscal year 2008: −$148,692,000,000.
Fiscal year 2009: −$175,195,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2000: $1,426,931,000,000.
Fiscal year 2001: $1,457,294,000,000.
Fiscal year 2002: $1,488,477,000,000.
Fiscal year 2003: $1,562,013,000,000.
Fiscal year 2004: $1,614,278,000,000.
Fiscal year 2005: $1,667,843,000,000.
Fiscal year 2006: $1,699,402,000,000.
Fiscal year 2007: $1,754,567,000,000.
Fiscal year 2008: $1,815,739,000,000.
Fiscal year 2009: $1,875,969,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2000: $1,408,292,000,000.
Fiscal year 2001: $1,435,931,000,000.
Fiscal year 2002: $1,455,992,000,000.
Fiscal year 2003: $1,532,513,000,000.
Fiscal year 2004: $1,584,066,000,000.
Fiscal year 2005: $1,640,426,000,000.
Fiscal year 2006: $1,668,608,000,000.
Fiscal year 2007: $1,717,883,000,000.
Fiscal year 2008: $1,782,697,000,000.
Fiscal year 2009: $1,842,699,000,000.

On page 28, strike beginning with line 13 through page 31, line 19, and insert the following:

Fiscal year 2000:
(A) New budget authority, $244,390,000,000.
(B) Outlays, $248,088,000,000.
Fiscal year 2001:
(A) New budget authority, $251,873,000,000.
(B) Outlays, $257,750,000,000.
Fiscal year 2002:
(A) New budget authority, $264,620,000,000.
(B) Outlays, $267,411,000,000.
Fiscal year 2003:
(A) New budget authority, $277,886,000,000.
(B) Outlays, $277,674,000,000.
Fiscal year 2004:
(A) New budget authority, $287,576,000,000.
(B) Outlays, $287,384,000,000.
Fiscal year 2005:
(A) New budget authority, $299,942,000,000.
(B) Outlays, $300,126,000,000.
Fiscal year 2006:
(A) New budget authority, $306,155,000,000.
(B) Outlays, $306,593,000,000.
Fiscal year 2007:
(A) New budget authority, $312,047,000,000.
(B) Outlays, $312,948,000,000.
Fiscal year 2008:
(A) New budget authority, $325,315,000,000.
(B) Outlays, $326,766,000,000.
Fiscal year 2009:
(A) New budget authority, $335,562,000,000.
(B) Outlays, $337,104,000,000.

On page 42, strike lines 1 through 5 and insert the following:

(1) to reduce revenues by not more than $0 in fiscal year 2000, $136,989,000,000 for the period of fiscal years 2000 through 2004, and $762,544,000,000 for the period of fiscal years 2000 through 2009; and

PRIVILEGE OF THE FLOOR

Mr. DODD. Mr. President, I ask unanimous consent that Amy Sussman, a fellow in my office, be allowed privileges of the floor.

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

Mr. DODD. I ask unanimous consent that my colleagues Senator JEFFORDS of Vermont, Senator KENNEDY, Senator KOHL, Senator WELLSTONE, Senator MURRAY, Senator BINGAMAN, Senator JOHNSON, and Senator KERRY of Massachusetts be added as cosponsors to this amendment.

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

Mr. DODD. Mr. President, many of my colleagues may know that 9 years ago my colleague from Utah and I offered and authored the Child Care and Development Block Grant Act of 1990.

Year after year, we have talked about this important program and about what a difference we think it has made in the lives of working families.

Any Member of this body who has spent time in his or her State over the

past 2 months enters this debate about budget priorities knowing with absolute certainty that very few issues weigh as heavily on the minds of parents across this country than how their children are being cared for. Parents worry they can't afford to take time away from work to be with their children. When they must work, they worry that the child care they need will be unavailable, unaffordable, or unsafe. It is a constant daily struggle for parents with young children in this country. It is a constant source of concern for parents all across the Nation.

Helping these families does not require inventing a slew of new programs. We already have the Child Care and Development Block grant, a program that works and that enjoys strong bipartisan support.

This block grant is a model of flexibility. It provides direct financial assistance to help families pay for child care. It does not dictate where that child care must be provided. Parents can choose a child care center, they can have a home-based provider, a neighbor, a church, a relative, whatever they think is best for their child.

In our opinion, this is an excellent program. In fact, its only downside is that the level that it is currently funded at reaches far too few families in this country. As a result of underfunding, the child care block grant—now almost a decade old—can only serve 1 out of every 10 children. This graph highlights that: Out of every 10 children who are eligible, only 1 today can actually take advantage of the child care block grant.

Consequently, States have had to employ various strategies to ration the subsidies that these block grants provide.

Almost all States without exception have lowered their income-eligibility requirements far below the federally allowed level—85 percent of the State's median family income, or approximately $35,000.

I notice the presence of our colleague from Ohio, and I know as a former Governor how he wrestled with these issues. I think he knows very graphically what I am about to describe for other colleagues. The Presiding Officer was a Governor and he can appreciate this as well.

Because of underfunding, over 20 states have cut off all assistance to families of three earning over $25,000. Fourteen States have cut assistance for families earning over $20,000. Seven States are even more stringent: Wyoming, Alabama, Missouri, Kentucky, Iowa, South Carolina, and West Virginia cut off subsidies for families earning more than $17,000 a year—half the income level that is allowed for under Federal law.

What is the effect of this? What happens? In some States, subsidies are only provided to parents on or moving off welfare. Working families out there living on the margin can't get any help. This is not what I think any of us intended to have happen.

This graph shows that 52 percent of the child care needs of working families cannot be met with current funding schemes. They are either locked out by strict State income eligibility requirements, they are locked out by long waiting lists, or they are locked out by subsidies that are too low to pay for the child care they need.

Even with these strict income eligibility requirements, as I mentioned, many States have long waiting lists. How bad are the waiting lists? In California, 200,000 children are on waiting lists for child care slots. In the State of Texas, it is 36,000; Massachusetts, 16,000; Pennsylvania, almost 13,000; Alabama, 19,000; Georgia, 44,500.

Other States ration their limited child care dollars by paying child care providers far below the market rate—again, trying hard to guard these dollars carefully.

For example, my own State of Connecticut has been unable to raise the payment rates for child care providers for 7 years. Even during a robust economy, we have not been able to increase the pay of child care providers because of the lack of funding in the child block grant program. It isn't hard to see that paying unrealistically low rates makes providers reluctant to accept subsidized children. It also isn't hard to see that this practice jeopardizes the ability of families who do get assistance to find good quality child care.

When you look at the astronomical costs of child care, you can see how all of these rationing practices put families in a crisis.

Let me draw the attention of my colleagues to this last chart here. These are annual child care fees across the country for children of selected ages. I have picked a cross section, with some of the highest and some of the less costly States, to give examples. I have broken it down by the cost of an infant, which is the highest child care cost, a 3-year-old, and a 6-year-old. The highest-cost State is Massachusetts. In Massachusetts, to take care of a 1-year-old child, the annual cost is $11,860; for a 3-year-old, it is $8,840; for a 6-year-old, it is $6,660. If you go down the list, I have done North Carolina, Florida, Minnesota, Texas, Colorado, and California.

Consider these numbers for a minute and recall what I showed you about how States have lowered the financial eligibility criteria down to as low as $17,000. It means that if you live in one of the states with strict income eligibility, you might earn $21,000 and not qualify for the subsidy, but still be paying $8,580 for the care of an infant. If you make $21,000 and have an $8,500 yearly child care bill—you are getting close to paying 50 percent of your gross income to care for one child.

If my colleagues would like, I will have this information before the vote tomorrow for each State to give Members some idea on what the waiting lists are like, to get some sense of how important an issue this is for the families living in your States.

Without help in paying the $4,000 to $11,000 a year that child care can cost, low-income working families are forced into the untenable position of placing their children in an unsafe, makeshift child care arrangement or forgoing employment.

Unfortunately, what we have before us is a budget that chooses to ignore this problem. I say, with all due respect, to those who have to draft these budgets, what we have before us is a budget that disregards these needs.

We are being asked to endorse a budget that doesn't just fail to provide for an increase in child care funding but in fact would cut discretionary child care spending by $122 million in fiscal year 2000—cutting off assistance to some 34,000 children in the first year, and up to 79,000 by the fifth year of the program—in order to pay for tax cuts for the more affluent citizens in our society.

I have heard my colleagues all across this Chamber repeatedly say that they only want to return the surplus to working families. That is hard to argue. But that is what this amendment does. Working people need this.

This amendment provides an additional $7.5 billion over 5 years for the Child Care and Development Block Grant, which goes directly to families to help them pay for child care—by a church, by neighbors, by family members, We pay for this funding increase by reducing the proposed $800 billion tax cut by the same $7.5 billion over 5 years. I don't think that is too big a chunk out of that for a very serious program which needs help.

We also make a non-binding statement that if there is a tax cut, we want a tax credit for child care that helps all working families as well as all parents who stay home to care for an infant.

That is a critically important issue if you are in the working poor category. If you are down at the $15,000 to $25,000 income level, a non-refundable tax credit is not very valuable to you because you probably have little or no tax bill. Without making the credit refundable, you don't get much benefit.

I hope, Mr. President, that my colleagues will seriously consider this amendment. Too often these amendments come up and people sort of blow by them, and just march in lockstep.

If we don't adopt this amendment, we will be very limited in the type of child care funding increases we can seek this year. If it is not in the budget as part of a mandatory spending, I'm essentially closed out for the year.

Others have said in the past, ''Don't make it mandatory. Take your best shot in the discretionary spending and fight over appropriations that.'' I have tried that over the years, I say to my colleagues. You just don't win. And this year will be harder than ever because, as you know, we have about a 12 percent across-the-board cut in non-defense discretionary programs. For

me to get $7.5 billion over 5 years in a discretionary nondefense appropriations battle, is not going to happen.

You have to ask yourself a tough question: Regarding that $800 billion tax cut, as important as it is to many of you, would you mind reducing it by $7.5 billion over 5 years to try to make a difference here for working families who need child care?

You also have to ask if tax credits should go to all working families and stay-at-home parents. Low-income families in both these situations make tough choices and they ought to have the backing of their representatives in Congress, in my view.

I ask my colleagues who are here this evening, or others who may be watching the debate, before the vote tomorrow, to please take a hard look at this amendment and see if you can find a way to be supportive of it. This is the only opportunity we will have to really deal with this issue, and unless it is included in this budget resolution, it is essentially off the table. That is it for the 106th Congress. This is our one opportunity to do something to help these families.

Mr. KENNEDY. Mr. President, Senator DODD and I offer this amendment to do more to help working families secure quality child care.

Child care is one of the most important challenges facing the Nation. The need to improve the affordability, accessibility, and quality of child care is indisputable. Every day, millions of parents go to work and entrust their children to the care of others. An estimated 13 million children under 6 years old are regularly in child care.

Every working parent wants to be sure that their children are safe and well cared for. Yet child care can be a staggering financial burden, consuming up to a quarter of the income of low-income families. Child care can easily cost between $4,000 and $10,000 for one child. But about half of all young children live in families with incomes below $35,000. And two parents working full-time at the minimum wage earn only $21,400. These parents—working parents—constantly must choose between paying their rent or mortgage, buying food, and being able to afford the quality care their children need.

Existing child care investments fall far short of meeting the needs of these parents and their children. Today, 10 million low-income children theoretically qualify for services under current Federal child care programs. But because of lack of funding, only one in ten of these children actually receive it. The need is great and a ratio like that is unacceptable.

Making sure that all children receive quality care especially in the early years, is one of the best possible investments in America's future. We know the enormous human potential that can be fulfilled by ensuring that all children get adequate attention and stimulation during the first three years of life. Quality child development increases creativity and productivity in our workforce. There is less need for remedial education and less delinquency. Safe, reliable care offers stable relationships and intellectually stimulating activities. Child care that fulfills these goals can make all the difference in enabling children to learn, grow, and reach their potential. If we are serious about putting parents to work and protecting children, we must invest more in child care help for families.

President Clinton has put families first by giving child care the high priority it deserves. Senate Democrats have proposed an increase in our commitment to child care by at least $7.5 billion in mandatory spending over the next 5 years, almost doubling the number of children served from 1 million to 2 million in 2005.

The benefits from investing in children are substantial and many. A lifetime of health costs are lower when children are supervised, educated about their health, and taught to develop healthy habits. Parents' productivity improves when they know that their children are well cared for. Education costs decrease when children enter school ready to learn. By expanding child care and child development programs, we invest in children, their future, and the country's future.

Yet this budget resolution allots no funds for increased child care and development programs. In fact, the Republican budget slashes funds for critical programs for children. It denies 100,000 children the Head Start services that help them come to school ready to learn. It makes it impossible to reach the goal of serving a million children in Head Start by 2002. The message contained in the budget resolution is clear—children are not a priority.

The Nation's children and families deserve a budget that invests in the right priorities—not the priorities of the right wing. This Republican budget makes children a non-priority—and gives high priority to an $800 billion tax cut for the wealthy. Those priorities are wrong for children, wrong for Congress, and wrong for the Nation.

Now, when we have a large national surplus and a strong economy, it is time to invest in our most valuable resource—our children. I urge my colleagues to support this amendment.

Mr. VOINOVICH addressed the Chair.

Mr. REED. Mr. President, parliamentary inquiry: Are we going back and forth to each side?

The PRESIDING OFFICER. There is no order. However, there is an amendment pending.

Mr. REED. I ask unanimous consent to lay the amendment aside. My amendment is at the desk.

The PRESIDING OFFICER. I think it is informal to go back and forth.

Mr. REED. I withdraw my unanimous consent request.

The PRESIDING OFFICER. The Chair thanks the Senator.

The Senator from Ohio.

Mr. VOINOVICH. Mr. President, I ask unanimous consent that the pending amendment be set aside.

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

AMENDMENT NO. 161

(Purpose: Use on-budget surplus to repay the debt instead of tax cuts.)

Mr. VOINOVICH. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Ohio [Mr. VOINOVICH] proposes an amendment numbered 161.

Mr. VOINOVICH. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

Mr. VOINOVICH. Mr. President, we are debating a budget resolution in the Senate that will provide an outline for our Nation's spending for the next fiscal year. With the assurances of the Republican leadership, we will be sticking to our guns on the spending caps that we agreed to in the 1997 balanced budget agreement. And we will lock away the Social Security trust funds in a lockbox.

Earlier today, the Senate reaffirmed its commitment to Social Security, voting unanimously 99 to 0 that current and future Social Security trust funds should remain only for Social Security. It was the right thing to do. But incredibly, President Clinton has threatened to veto a similar measure, the Abraham-Domenici Social Security lockbox bill. It is unconscionable for the President to undermine the efforts of Congress to save Social Security just so he can use the Social Security surplus to pay for his pet projects.

As cosponsor of the lockbox legislation, I believe it represents a golden opportunity to show that Washington is serious about keeping its word to our seniors and future retirees. Since the Senate voted 99 to 0 this afternoon, I expect that all of my Democratic colleagues will vote for the Social Security lockbox bill when it comes to the floor and urge the President not to veto this legislation.

The Senate meanwhile will have to make some tough budget choices in fiscal year 2000, and we will have to do more with less. It is not going to be easy, because we have so many competing demands chasing so few dollars—demands such as military pay and readiness, education, and perhaps Medicare. And, yes; now that the President has started to bomb Kosovo we may need a lot more money to pay for a brand new war.

I would like to remind my colleagues this evening that the cost of that war is coming out of the Social Security surplus. The money to pay for that war is being paid for out of the Social Security surplus.

I also recognize that we may have to deal with emergencies as they occur. I applaud the chairman of the Budget Committee for drafting a resolution that addresses those needs. Under his leadership, Senator DOMENICI has acknowledged that we must reserve $131 billion, or what I would like to call a rainy day fund, that may only be used—let me stress—may only be used for Medicare, agriculture, Federal emergencies, or debt reduction.

While the chairman and I agree on that point, I do respectfully have a difference of opinion on using the onbudget surplus for tax cuts.

The amendment that I am offering is a simple one. It takes the tax cuts proposed in the budget resolution and uses the money to pay down the debt. Let me say again, under my amendment, we would take the $778 billion in tax cuts and use the money to pay down the debt. If my amendment is adopted and we use the onbudget surplus for debt reduction, then publicly held debt will drop from $3.68 trillion today to $960 billion by the year 2009.

Mr. President, we can't let this opportunity pass by, because if we look at this chart, we can see how vital it is to bring down our debt. This is what our debt was back in 1940. As you will notice, at the end of the Vietnam war, this debt skyrocketed, like Senator Glenn going up in the STS–95. Once we commingled the Social Security surplus with the general funds of this country, we started to use that surplus and borrow money to pay for tax reductions and spending increases. We now have increased that debt. When I was mayor of the city of Cleveland back in 1979, it was $750 billion at that time. It is $5.6 trillion today, almost a 600-percent increase in the national debt.

Why should we do this rather than use this money to reduce taxes?

First of all, if we pay down the debt, we are going to decrease our massive interest payments on the national debt.

No. 2, we will expand the economy.

No. 3, we will lower interest rates for families.

No. 4, we are going to have less need for future tax hikes. It will decrease the overall interest paid on the debt.

Right now, this is hard to believe, but we are spending over $600 million per day—do you hear me—per day, just to service the interest on the national debt.

Let's look at what that means. Most of the American people are not aware of what is going on here. Here are the entitlements, 54 percent; net interest, look at this, 14 percent of the money going for net interest; national defense, 15 percent; and nondefense discretionary, 17 percent.

Look at what has happened. When Janet, my wife, and I got married back in 1962, we were spending 6 cents per dollar on the interest. Today it is 14 cents.

The next chart, let's look at what that interest is doing. The interest on the national debt, as you can see, is a little bit below defense. But look at Medicare. We are spending more money today in the United States of America on the interest on national debt than we are on Medicare. And for education, we are spending five times more money on interest than we are on education. And for medical research, we are spending 15 times more money on interest than on the National Institutes of Health. That is what is going on today.

No. 2, it will expand the economy.

No. 3, it will lower the interest rate for individual families.

As Alan Greenspan attests, a decreasing national debt will bolster a strong economy and allow individual interest rates to fall.

Everybody who is an expert—talk to Dan Crippen, of the Congressional Budget Office, or David Walker, who is the new Comptroller General at GAO. Ask them: If you have a surplus, what should you do with it? They will come back and say, ''Reduce the national debt.''

These lower interest rates give middle-class Americans the ability to purchase homes. That is what keeps interest rates down. They are able to refinance mortgages and buy automobiles. The savings gives them some real money to either save, invest, or put it back into the economy.

With the low-interest rates that we have enjoyed, over 17 million Americans have refinanced their homes since 1993. Just think of the people that you know who have refinanced their homes because we have kept interest rates down. If we pay off or reduce the national debt, those rates will continue to come down. These homeowners have saved millions of dollars in mortgage payments per year. In fact, one of my staff members refinanced his modest duplex home in 1998. By refinancing, his yearly savings will be $2,160 a year. That is more than $50,000 he is going to save over the 25 years left on his mortgage.

If we could lower interest rates by 1 percentage point, an average family buying a home could save over $25,000 on a typical mortgage. Mr. President, that is a win-win for the American people. We will have less debt over our heads, and Americans will have more of their own money in their pockets in order to be able to buy things that they need for their families.

Finally, the fourth reason is that if we reduce the national debt, it will lower the amount of taxes necessary to run the Government. As the debt decreases, so does the overall cost of running the Government. This would allow us to maintain the current level of Government services and accommodate an increase in the use of those services by the baby boomers. It would also lessen the demand for future tax hikes that would result in a de facto tax cut for American people. Just think if we could bring the amount of the net interest payments down, that money would be available for other things we need to spend money on. Or, in the alternative, the opportunity to reduce taxes.

From a public policy point of view, let's be serious in terms of our debt. You have a 10-year projection on an $800 billion reduction in taxes. We are going to have a tough time balancing the budget this year. We may not have a surplus. Next year we will be lucky to have a surplus. One thing we do know is if we use the money to reduce the debt and we do not spend it on more programs, or we do not use it to reduce taxes, we will not be in the position, if the economy doesn't go the way we expect it to, to have to go back to the American people and say: Folks, we gave you a tax cut, but we are going to have to take it back because our projections were wrong. Folks, we are spending money on programs, and by the way, we are going to have to cut those programs because these 10-year projections we have are not working out.

I want to say one thing and I think it is important. Mr. President, 5-year projections may be reasonable; 10-year projections, if you talk to CBO, they would tell you they could swing $300 billion over this period of time. I think what we need to do is understand we have a tough budget situation that, if we lock up Social Security and do not touch it as we have in the past, we are going to have a couple of tough years ahead of us. Rather than projecting out 10 years and talking about what we are going to be doing with the money, I think if we do have that additional money, let's pay down the national debt.

The last thing I would like to say is this: I just had a new granddaughter last week, Veronica Kay Voinovich. While I was campaigning in Ohio last year I talked about my first grandchild, Mary Faith. Her gift, when she was born on December 26, 1996, from this Government, was a bill for $187,000, interest on a debt that was racked up before her life, on something that she had nothing to do with. And we are asking her to pay for it. I think it is criminal. I think it is criminal that we have not been willing to pay for the things that we wanted, that we borrowed the money, and we have had an attitude: We have ours, let them worry about theirs.

That is not the legacy that was left to me and I do not want that legacy for my granddaughters or for the other grandchildren here in the United States of America.

We have a wonderful opportunity. For the first time, we can see the light to really do something that is responsible in dealing with this budget to get ourselves back on track, so going into the next century, the next 10 years are going to be good years for our country.

The PRESIDING OFFICER. Who yields time?

Mr. LAUTENBERG. Mr. President, I take time from what would normally be the opposition. I want to take this

opportunity to say to the Senator from Ohio that we think that is pretty clear thinking. Paying down the debt—he is right. I heard his remarks. He recounts what we have heard from the economists, Greenspan included, about the most important way to get our fiscal house in order and that is to pay down the debt. If we keep going like things are projected, we could be through with public debt in about 15 years.

We would be, within 15 years, at the debt level in 1917. And no, I don't remember it; I have read about it.

But within a couple of years thereafter we could be out of public debt, which would be such a bonus for all of our succeeding generations, including our grandchildren. I congratulate the Senator. Is this his second grandchild? The second. One of mine, my 3-year-old grandchild, was watching television tonight and he said to his mother, ''Papa looks mad.'' And then he said, ''No, I think papa is happy.''

Anyway, we do it for them. I think the amendment of the Senator is a very positive amendment and I hope it will get full support.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I ask unanimous consent to lay aside the pending amendment to consider my amendment which is at the desk.

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

AMENDMENT NO. 162

Mr. REED. I have an amendment at the desk and ask it be called up.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED], proposes an amendment numbered 162.

Mr. REED. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 3, strike beginning with line 5 through page 5, line 14, and insert the following:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution—

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2000: $1,401,979,000,000.
Fiscal year 2001: $1,438,628,000,000.
Fiscal year 2002: $1,461,410,000,000.
Fiscal year 2003: $1,538,283,000,000.
Fiscal year 2004: $1,592,543,000,000.
Fiscal year 2005: $1,656,146,000,000.
Fiscal year 2006: $1,689,262,000,000.
Fiscal year 2007: $1,743,602,000,000.
Fiscal year 2008: $1,813,532,000,000.
Fiscal year 2009: $1,876,549,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2000: $0.
Fiscal year 2001: −$4,019,000,000.
Fiscal year 2002: −$46,866,000,000.
Fiscal year 2003: −$25,035,000,000.
Fiscal year 2004: −$41,606,000,000.
Fiscal year 2005: −$54,750,000,000.
Fiscal year 2006: −$101,451,000,000.
Fiscal year 2007: −$127,798,000,000.
Fiscal year 2008: −$142,677,000,000.
Fiscal year 2009: −$169,161,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2000: $1,433,486,000,000.
Fiscal year 2001: $1,462,731,000,000.
Fiscal year 2002: $1,494,665,000,000.
Fiscal year 2003: $1,567,714,000,000.
Fiscal year 2004: $1,619,458,000,000.
Fiscal year 2005: $1,673,026,000,000.
Fiscal year 2006: $1,704,594,000,000.
Fiscal year 2007: $1,759,769,000,000.
Fiscal year 2008: $1,820,952,000,000.
Fiscal year 2009: $1,881,193,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2000: $1,408,292,000,000.
Fiscal year 2001: $1,438,628,000,000.
Fiscal year 2002: $1,461,410,000,000.
Fiscal year 2003: $1,538,283,000,000.
Fiscal year 2004: $1,589,644,000,000.
Fiscal year 2005: $1,646,315,000,000.
Fiscal year 2006: $1,674,432,000,000.
Fiscal year 2007: $1,723,839,000,000.
Fiscal year 2008: $1,788,712,000,000.
Fiscal year 2009: $1,848,733,000,000.

On page 21, strike beginning with line 20 through page 23, line 11, and insert the following:

(9) Community and Regional Development (450):

Fiscal year 2000:
(A) New budget authority, $11,898,000,000.
(B) Outlays, $10,273,000,000.
Fiscal year 2001:
(A) New budget authority, $9,141,000,000.
(B) Outlays, $10,931,000,000.
Fiscal year 2002:
(A) New budget authority, $9,077,000,000.
(B) Outlays, $10,919,000,000.
Fiscal year 2003:
(A) New budget authority, $9,243,000,000.
(B) Outlays, $10,232,000,000.
Fiscal year 2004:
(A) New budget authority, $9,217,000,000.
(B) Outlays, $9,694,000,000.
Fiscal year 2005:
(A) New budget authority, $9,213,000,000.
(B) Outlays, $9,121,000,000.
Fiscal year 2006:
(A) New budget authority, $9,219,000,000.
(B) Outlays, $8,755,000,000.
Fiscal year 2007:
(A) New budget authority, $9,223,000,000.
(B) Outlays, $8,751,000,000.
Fiscal year 2008:
(A) New budget authority, $9,232,000,000.
(B) Outlays, $8,739,000,000.
Fiscal year 2009:
(A) New budget authority, $9,237,000,000.
(B) Outlays, $8,722,000,000.

On page 42, strike lines 1 through 5.
Change $142,034,000,000 to $117,526,000,000.
Change $777,587,000,000 to $713,363,000,000.

Mr. REED. Mr. President, this evening I rise to offer an amendment along with Senator SARBANES, Senator KERRY of Massachusetts, and Senator MURRAY, to restore funding for regional development programs to the levels that are set forth in the President's budget. Unfortunately, the budget resolution which we are considering today would reduce the funding for community and regional development programs by $88.7 billion over 10 years. This is compared to the President's budget request.

For example, in fiscal year 2000, spending for community and regional development programs would be reduced from $11.9 billion to $5.3 billion, a cut of 55 percent. In fiscal year 2001, spending for these programs would be reduced from $9.1 billion to $2.7 billion, a cut of 70 percent.

Then, between the years 2002 and 2009, spending reductions each year are approximately 78 percent below the President's request. In effect, this budget before us would eviscerate community and regional development programs. These programs are at the heart of our efforts to invest in America, in our cities, in our rural areas, and to do so in a way that gives maximum flexibility to local mayors, Governors, and community officials.

My amendment would increase spending for community development programs by $88.7 billion over these 10 years to essentially meet the President's projections. It would be offset by reducing the amount of tax cuts, currently $778 billion, contained in this budget resolution. My amendment not only restores funding for community and regional development, it will still leave approximately $700 billion for tax cuts.

I am deeply troubled by these cuts in community development programs because they will undermine the progress that our cities and rural areas have been making over the last several years. In fact, in many cities there is an urban renaissance. Where they are beginning to clean up blighted areas, they are beginning to attract new investment in the center cities. They are beginning to develop and sustain a mature culture and the arts. All of this is a result of investments through many of these programs which stand to lose out tremendously in this proposed budget resolution.

One of the indications of a reviving urban area in the United States is the fact that crime, violent crime particularly, has fallen more than 21 percent since 1993, and property crimes have dropped to the lowest point since 1973. I argue this is not simply the result of better police activity. This is because the cities are now able to reinvest and reinvigorate their communities, their neighbors. In so doing, they give positive incentives and positive hope for people.

All this is happening. And all of this will stop happening quite dramatically if we make such a devastating cut in community development and regional development programs.

Let me suggest the particular programs that would be affected by these massive cuts. First is the Community Development Block Grant Program; then there is the section 108 program loans for cities and communities; there is the Economic Development Administration and their grants to States and communities; there is FEMA disaster assistance, which is part of this program; then there is brownfield redevelopment programs, which help aid the remediation of environmentally troubled areas so they can be redeveloped for use by cities and communities; and then there is the lead hazard reduction grants, which are a critical problem in

many parts of this country, particularly urban areas; then there is the community development financial institutions fund; the Neighborhood Reinvestment Corporation; and the Rural Community Advancement Program. All of these programs would see devastating cuts.

Let me for a moment talk about some of the particular programs that are subject to this very threatening budget resolution. First is the Community Development Block Grant Program. We are all familiar with this program. It provides grants to States and to communities on a formula basis, the type of programmatic initiatives for new housing and community development.

One of the virtues of this program, one of the reasons it is embraced by both sides of the aisle, conceptually, is the fact that it gives flexibility to the States and to the cities to decide how they want to use these funds. It is not a mandate from Washington. It is not a categorical program that makes them jump through all sorts of hoops. It gives them the flexibility to meet the demands that they deem most critical.

These funds have been used to reconstruct and rehabilitate housing and provide homeownership assistance and opportunity. In fact, between 1994 and 1996, over 640,000 housing units have been rehabilitated or constructed with CDBG funds—over 640,000 housing units. These are housing units typically for low-income Americans, for seniors, for people with disabilities. Without this type of investment, I daresay there would not be a lot of construction, particularly in some of the older neighborhoods in our cities and in rural areas. With these funds, we have been able to stimulate the kinds of construction and renovation and renewal that are so essential to the fabric of our communities.

These funds were also used to provide services related to the Welfare-to-Work Program. They are used to help assist in terms of drug suppression, to aid people with drug problems; child care monies are used and involved here; crime prevention and education—all of these programs would be subject to severe cuts.

They also assist tremendously community-based organizations, those organizations in rural areas and urban neighborhoods that are doing the job of trying to give people hope and opportunity and also leveraging private dollars to make sure that what we do has effect, not just here in Washington but on the streets of every city and every rural area of this country.

This program has many manifestations. In my home State of Rhode Island, in Bristol, they used CDBG money to fund the acquisition of basic medical examination equipment, to set up a clinic and a senior housing facility, providing better health care and doing it in a way which adds to the quality of life for these seniors.

In the State of New Mexico, they boast a new state-of-the-art facility to train students for jobs in high tech. This facility was funded with $600,000 in CDBG money. Again, it illustrates how flexible and useful these funds are, because they have been used by local communities to assist local training programs to meet local demands for certain types of employees. It is a very, very valuable program.

In South Carolina, CDBG funds were used for 27 economic development projects in rural areas, including such things as bringing water and sewer systems to communities that desperately needed them. Last year, approximately 4,000 communities throughout this country benefited from $4.6 billion in CDBG funding. Indeed, this funding alone leverages additional private investment. In fact, it has been estimated that for every $1 of CDBG money, there is $3 of private investment. As a result, last year, reasonably and, I think, conservatively, we estimate that the CDBG Program leveraged an additional $18.4 billion in private funds.

It also creates jobs, because when you invest in cities, when you invest in rural areas, when you do it in conjunction with other Federal programs, other State programs, you can create jobs. In fact, it has been estimated that in 1996, CDBG was responsible for creating about 133,000 jobs.

In view of all of this tremendous productivity, efficiency, and effectiveness, it seems to me remarkable and counterintuitive, indeed, that we would be cutting this program by about 78 percent, effectively rendering it useless.

There is another program that should be considered, too. That is the section 108 program. The section 108 program has been very critical to many urban areas in this country because what it does is, it allows cities to leverage their annual CDBG funds to borrow additional monies to increase the amount of investment dollars they have on hand for housing rehabilitation, for economic development, for public works projects. Indeed, it allows specifically a city or a community to take their CDBG allotment and leverage that for five times more dollars through this loan program. Securing their borrowing are the annual proceeds of their CDBG allocation.

I raise the question: What is going to happen to these communities if we slash this funding dramatically? I suggest that their financing situation would be critical. They would either have to find some other way to secure these loans, or they would have to immediately pay off these loans or they would be in default. This would be a staggering blow to many communities. Ultimately, what it would do, together with the cuts in the overall CDBG Program, it would drive up property taxes in many cities and rural areas.

The irony here is that we are using billions of dollars to cut Federal taxes, with the idea of providing tax relief, which, I think, in a way could drive up taxes in certain communities. In fact, we all know the property tax is much more regressive than income tax, than the Federal tax. We could have the unintended consequences, for many people throughout this country, of making their tax situation worse, depriving the cities of the opportunity to maintain a tax base, to stabilize it, and to attract new business, to attract new investment because of a stable tax base. This is absolutely bad policy, and it should be rejected.

Let us talk about another program that is subject to these draconian cuts. That is the Economic Development Administration. This agency provides valuable assistance, again, to States and communities so they can do projects which will accelerate their economic growth and create more jobs. In my home State of Rhode Island, we work closely with the EDA to provide funds to help us make the final cleanup and transition of a former Navy base, Quonset Point, Davisville, on Narragansett Bay, so they can be developed for industrial expansion. Without EDA grants to do things like extending sewer lines, taking down an obsolete water tower, the State would not be in a position, as it is today, to offer that property for economic development.

Again, this is a program which goes right to the direct needs of cities to create jobs and to invest in their communities and States and to do these types of investments. It would be reduced dramatically.

Brownfield redevelopment: We have brownfield redevelopment that is absolutely necessary for the urban areas of this country. It is necessary because we have areas that need environmental remediation, not only to make them more aesthetically pleasing but also to provide the opportunity for reinvestment, redevelopment for jobs; again, to strengthen the urban tax base and to do so in a way that creates jobs, increases the tax base, and also counteracts what is a growing problem everywhere, increasing urban sprawl. If we can revitalize and make attractive again parcels in center cities for commercial expansion, we will lessen the pressure on suburban areas. This, too, can be done and has to be done in conjunction with many things. One of them is the Brownfield Grant Program. That, too, is on the chopping block.

Lead hazard reduction grants: In my home State of Rhode Island, we have a major hazard with lead paint and children, a major public health problem, a public health problem that is one I think we are embarrassed to admit, but it is there. It is there particularly in older communities, not just in urban areas but older rural communities.

Most of the paint that was created years ago had a lead base. It was put up everywhere. Kids now are exposed to that paint and exposed to other sources of lead. It has been estimated that nearly 5 percent of American children, age 1 to 5, approximately 1 million

children, suffer from lead paint poisoning. That is an outrage in this country.

Our programs to combat it, to reduce it, would be subject to severe limitations, because HUD's Office of Lead Hazard Control would not have the resources—the meager resources, I might add—today that they are using to try to help communities reduce the lead hazard throughout this country.

Now, these are just a sample of the programs that would be eviscerated by this proposed budget resolution, that would be reduced over the next 10 years, dramatically, would be rendered perhaps ineffectual and totally without purpose in many instances. That is why I think we have to restore these funds and do so by taking funds away from the proposed tax cuts that are embedded within this budget resolution.

There will be some procedural arguments, I am sure, raised about my amendment, perhaps budget points of order, but really I think what we have to consider here is the substance. We cannot afford to stop investing in our cities and our rural areas. This budget does precisely that. It says to America's cities and America's rural areas: We are no longer going to invest in you; you are on your own; good luck; but what we are going to do is reduce taxes, Federal taxes.

I don't think we should abandon our cities and our rural areas. Certainly my amendment could accommodate both—a tax cut, together with the continued investment in the rural areas of America and also in our urban centers.

I feel compelled to restore these cuts. I feel that the substance of this amendment should triumph over procedural rules that might be imposed against it. As we go forward, I hope that others will feel the same way, too, because, frankly, we are charting a course with this budget resolution that would, I think, lead to, if not the ruin of our cities and rural areas, certainly it would lead to the lack of progress that we have seen over the last several years.

I hope when this amendment is considered that it will be supported as a way in which we can send clearly a signal to all of our cities and to our rural areas: We will not abandon you; we will continue to support you; we will continue to share with you resources that you may use in your wisdom to improve the quality of life of your cities, of your rural areas and, in so doing, improve the quality of life of this great country.

I yield the floor.

Mr. CRAPO addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAPO. Mr. President, I ask unanimous consent that we lay aside the pending amendment.

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

AMENDMENT NO. 163

(Purpose: To create a reserve fund to lock in additional non-Social Security surplus in the outyears for tax relief and/or debt reduction.)

Mr. CRAPO. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Idaho [Mr. CRAPO], for himself and Mr. GRAMS, proposes an amendment numbered 163.

Mr. CRAPO. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place, insert the following:

SEC. ___. RESERVE FUND FOR INCREASED ON-BUDGET SURPLUS IN THE OUTYEARS.

(a) IN GENERAL.—Any additional on-budget surplus exceeding the level assumed in this resolution during the period of fiscal years 2001 through 2009 as reestimated by the Congressional Budget Office shall be reserved exclusively for tax relief or debt reduction.

(b) ADJUSTMENTS.—The Chairman of the Committee on the Budget of the Senate may reduce the spending and revenue aggregates and may revise committee allocations by taking the additional amount of the on-budget surplus referred to in subsection (a) for tax relief or debt reduction in the period of fiscal year 2001 through 2009.

(c) POINT OF ORDER.—

(1) IN GENERAL.—When the Senate is considering a bill, resolution, amendment, motion, or conference report that uses the additional on-budget surplus reserved in subsection (a) for additional Government spending other than tax relief or debt reduction, a point of order may be made by a Senator against the measure, and if the Presiding Officer sustains that point of order, it may not be offered as an amendment from the floor.

(2) SUPERMAJORITY.—This point of order may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the members, duly chosen and sworn.

(d) BUDGETARY ENFORCEMENT.—Revised allocations and aggregates under subsection (a) shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

Mr. CRAPO. I thank the Chair.

Mr. President, I am pleased tonight to join with my good friend, Senator GRAMS of Minnesota, in offering an amendment that will help provide taxpayers relief from their tax obligations, as well as debt reduction for the American people.

Back when Senator GRAMS and I both served in the House of Representatives together and, I might add, at the same time we served with you, Mr. President, in the House of Representatives, we noticed a very interesting peculiarity in the budget process: When the House or the Senate reduced spending or adjusted spending downward in the budget, all that really happened was those particular projects or programs were eliminated or reduced, but the spending never was reduced and the deficits that we were dealing with at that time never really was reduced.

The deficit spending did not end. All that happened was that through some very intricate budget processes, those reductions in spending got reallocated to other spending proposals.

So we came up with an idea back then called the lockbox. We passed it four times in the House of Representatives as an effort to try to make sure that when the House or the Senate reduced spending, that reduced spending went to reduce the deficit and was not slid over into or moved over into other spending.

Now we have reached a point at which we have actually ended the deficits that we were working on 4 or 5 years ago, and we are dealing with surpluses. But the lockbox concept has gained significant support and is now proving to be a very valuable tool in dealing with the budget in a surplus climate.

Today, we have already adopted a very important lockbox amendment relating to Social Security. It was offered by a number of Senators. The primary sponsor was Senator ABRAHAM. That amendment provided that Social Security surpluses would be locked away in a lockbox and would not be allowed to be spent by Congress on other spending, in essence. That was an important first step.

We are now debating many different aspects of a very important budget. There is a debate as to what to do with the Social Security surplus and, as I indicated, we made a big step today in locking up that surplus so that it does not get squandered by Congress in other areas. That will stabilize and strengthen the Social Security trust funds.

As you know, the debate today, tomorrow, and probably the rest of the week, will show there is a debate underway on whether to reduce the national debt or to engage in significant tax relief for the American people or whether to allocate some of the surplus to those needed and important areas, such as our national defense or education or Medicare and other areas of needed concern.

But among that debate, Senator GRAMS and I believe that it is very important that we focus on what is going to happen with the surpluses in the future.

Senator DOMENICI has shown courage in producing a budget that is going to protect Social Security, it is going to pay down the public debt, it is going to stay within the budget caps, and it is going to provide an opportunity for needed critical tax relief. But on July 15, 1999, the Congressional Budget Office is going to update its economic and budget forecast for the fiscal year 2000 and beyond.

It is our expectation that this report will forecast an onbudget surplus that is even in excess of the current CBO estimates. If this is true and if that develops and we see even larger surpluses than we are now expecting, and after we have now put together a budget that allocates it as we think proper among tax relief, debt retirement,

needed spending on the items that I have indicated and protection of the Social Security and Medicare trust funds, and if we still see a growing surplus, we believe that this unanticipated surplus should be set aside, should be put into another lockbox and be authorized to be used for only further tax relief or further debt retirement.

Our amendment will create a lockbox, a reserve fund in addition to the non-Social Security surpluses so that we lock in the additional non-Social Security surpluses, and in the outyears 2001 through 2009, those additional unexpected surpluses that are non-Social Security surpluses would then be made available to be taken from this lockbox only for tax relief or debt retirement.

These excess surpluses could then benefit the American people in the best way possible and would then be protected from further raiding by Congress for big spending. These unanticipated surpluses could not be used for other types of proposals, and it would guarantee the American people that we would see the retirement of debt or the increase of tax relief as they have been asking for. We have had some other speeches recently on the floor tonight about the critical importance of recognizing the national debt that has grown over the last little while.

The Senator from Ohio talked about his grandchildren, and all of us have talked about the fact that our children and our grandchildren are today being expected to pay the debt that we have grown over the last few decades. That is wrong. This bill will help assure that these unanticipated surpluses, if they develop, will be utilized for that debt retirement.

What about the current quality of life? With the tax rates now the highest they have been in a peacetime circumstance in America, the only time tax rates have ever been higher in America is during war. We are now siphoning off from the economy so much for the excessive Federal spending that we are jeopardizing the current quality of life of our children and our grandchildren because their families have to pay such heavy and excessive tax burdens.

It is these two key problems—the excessive taxes and the excessive debt rate that we have in this country—to which we should dedicate these unanticipated surpluses. Taxes are still too high and still too cumbersome and still impact America's working families too heavily. I urge all our colleagues to support this needed and valuable amendment. It would utilize the critical lockbox concept to put into place one more parameter on our budget negotiations this year to assure if our economy does stay strong and we see those surpluses in the future we do not now anticipate, that we can set them aside for retirement of our national debt and reduction of the tax burden on all Americans.

I yield the floor at this time to my good colleague from Minnesota, because I know he is here and would like to speak further on this issue.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. GRAMS. Mr. President, I rise to strongly support the tax relief and debt reduction lockbox amendment offered by my good friend, Senator CRAPO of Idaho. We have worked a long time together, as he mentioned, both in the House and now in the Senate. We need to continue to push these efforts to reduce the tax burdens on Americans.

This amendment would lock in any additional non-Social Security surplus into the outyears for tax relief and/or for debt reduction.

Before I speak on this amendment, I would like to take this opportunity to commend Chairman DOMENICI for his leadership in crafting and delivering this well-balanced budget. I believe this budget blueprint is a great achievement of this Congress and it will ensure our continued economic growth and prosperity as we move into the next century.

Mr. President, protecting Social Security, reducing the national debt and reducing taxes are imperative for our economic security and growth. Our strong economy has offered us an historic opportunity to achieve this three-pronged goal.

Chairman DOMENICI has ably showed us in his budget how we can provide major tax relief while still preserving Social Security and dramatically reducing the national debt.

President Clinton has proposed to spend over $158 billion of the Social Security surplus in his budget over the next 5 years for unrelated Government programs, instead of protecting Social Security.

This budget includes a safe-deposit box to lock in every penny of the $1.8 trillion Social Security surplus earned in the next 10 years to be used exclusively for Social Security.

Stopping the Government from raiding the Social Security Trust Fund is an essential first step to ensure that Social Security will be there for current beneficiaries, baby boomers and our children and grandchildren. I am pleased that this is the No. 1 priority under this budget.

It is also notable, Mr. President, that under this budget, the debt held by the public will be reduced dramatically, much more than what President Clinton has proposed in his budget.

This budget also reserves nearly $800 billion of the projected non-Social Security surplus—the tax overpayments of working Americans—for tax relief. This is the largest tax relief that has been enacted since the leadership of President Ronald Reagan.

As one who has long championed major tax relief, I am pleased that we have finally achieved some meaningful proposal in reducing our tax burden again.

Not only does this budget fund all the functions of the Government, but it also significantly increases funding for our budget priorities, such as defense, for education, for Medicare, for agriculture, and others.

In addition, Mr. President, unlike President Clinton's budget, which has broken the spending caps by over $22 billion, this budget maintains the fiscal discipline by retaining the spending caps.

There are those who claim we cannot avoid breaking the caps as we proceed to reconcile this budget. But I say if we do our job to oversee Government programs, we will know which areas can be streamlined and which program funding can be better shifted to new priorities. Let's make sure we do our job to justify all Government funds are wisely spent.

I am particularly pleased, Mr. President, that this budget has included one of my proposals which would allow us to lock in for immediate tax relief any additional on-budget surplus as re-estimated in July by the Congressional Budget Office of fiscal year 2000.

I believe this amendment offered by Senator CRAPO and myself is solid protection for the American taxpayers. I thank Chairman DOMENICI also for including my proposal in his budget as well.

As the economy continues to be strong, we may have more revenue windfalls to come in the outyears that are above and beyond what this budget resolution has assumed. We also need to lock in these windfalls and we also need to return these tax overpayments to hard-working Americans.

The logic for this amendment is fairly simple. Despite a shrinking Federal deficit and a predicted on-budget surplus, the total tax burden on working Americans is at an all-time high. It is still imperative to provide major tax relief for working Americans and address our long-term fiscal imbalances.

We need to give back any additional on-budget surplus generated by economic growth to working Americans, and we need to do it in the form of tax relief and debt reduction.

That is exactly what our amendment intends to achieve. This amendment would lock in any additional non-Social Security surplus—again, not Social Security surplus, but income tax surplus—that may be generated in the outyears which exceed the levels assumed under this budget.

All we are saying is, if our economic growth produces more increased revenues than we expect, these revenues should be reserved and protected for the taxpayers in the form of tax relief and/or debt reduction. It should not be there for the Government to spend it as it pleases.

One question we should ask ourselves before we decide how to spend any non-Social Security surplus is where the budget surplus comes from. The CBO has showed us precisely where we will get our revenues in the next 10 years.

The data indicates that the greatest share of the projected budget surplus comes directly from income taxes paid

by the taxpayers. Again, this is their money. There is no excuse not to reserve it and then return it to the people who paid it.

If we don't lock in this surplus to the taxpayers, we all know that Washington will soon spend it all, leaving nothing for tax relief or the vitally important task of maintaining our long-term fiscal health.

Such spending will only enlarge the Government. It will only make it even more expensive to support in the future. And it will create an even higher tax burden than working Americans bear today.

Mr. President, I applaud the creation of the safe-deposit box for future Social Security surpluses to protect retirement security for our Nation's retirees.

But I also believe we need to create a safe-deposit box of a similar mechanism to lock in any additional on-budget surplus for tax relief and/or debt reduction beyond the fiscal year 2000 reestimate that is in the resolution.

The Congressional Budget Office reports that by 2012, we will have eliminated all the debt held by the public and we will begin to accumulate assets. By 2020, the share of net assets to GDP is expected to reach 12 percent. This is great news.

However, I believe we should use some of the on-budget surplus from the general fund to accelerate debt reduction. Currently we pay about $220 billion a year in interest. We saw from Senator VOINOVICH, in his charts, tonight how much we are spending every year just to pay the interest on the debt.

The sooner we eliminate the debt, the more revenue we will have in hand to reform Social Security, to reduce our tax burden and to finance our priority programs. This amendment will help us to achieve that goal.

We have also heard some say that Americans do not want tax relief. I hear that often: ''Americans don't want tax relief.'' Clearly they are completely out of touch with working Americans, and this is not what I hear when I listen to Minnesotans when I am at home.

A poll conducted by Pew Research Center shows that 53 percent of the American people say that the budget surplus should be used for a tax cut. Fifty-three percent want a tax cut. Only 34 percent say that it should be used for additional Government programs.

An Associated Press poll taken by ICR is even more specific. The following question was asked:

> President Clinton and Congress have predicted big budget surpluses in the next few years. Both sides want to set aside more than half of the surplus to bolster Social Security, but they disagree on how to spend the rest.

The question goes on:

> Which one of the following uses of the remainder of the surplus do you favor most: paying down the national debt, cutting taxes, or spending more on government programs?

The results of that survey: 49 percent said cutting taxes, 35 percent said to pay down the debt, and only 13 percent said that they wanted to spend more on Government programs.

There was another question that was also asked. And the question was:

> Some Republicans want a 10% tax cut for everyone. President Clinton prefers tax credits for specific things like child care or taking care of disabled parents. Which approach do you like better?

And the answer: 50 percent said they want a 10-percent cut for everyone, 44 percent want tax credits for specific things.

Mr. President, Americans' message is loud and clear. They want—and deserve—major tax relief.

Again, my biggest fear is that without the lockbox, the Government will spend the entire additional on-budget surplus generated by working Americans. Last year's omnibus appropriations legislation was a prime example of how the Social Security surplus was spent by Congress.

This year's supplemental threatens to be equally abusive if we cannot agree on any offsets.

Mr. President, as I conclude tonight, we must protect the interests of our taxpayers. We must secure the future for our children's prosperity. This amendment would allow families, again, the opportunity to keep just a little more of their own money and to provide a good downpayment on debt relief. I urge my colleagues strongly to support this amendment.

Thank you very much. I yield the floor.

Mr. CRAPO addressed the Chair.

The PRESIDING OFFICER. The Senate from Idaho.

MORNING BUSINESS

Mr. CRAPO. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

ALLEGATIONS OF SPYING AT LOS ALAMOS, SANDIA, AND LAWRENCE LIVERMORE LABORATORIES

Mr. DOMENICI. Mr. President, for decades Los Alamos, Sandia, and Lawrence Livermore have attracted the greatest scientists in the world. That has not changed with the end of the Cold War; the knowledge and skills in those laboratories are unequaled in the world and the envy of the world—for that reason, others will always try to gain that information. The directors and scientists have, since the inceptions of the laboratories, been cognizant of the fact that they are the target of spying.

As we consider how to respond to these recent allegations—and some steps have been taken including: the initiation of an aggressive counter-intelligence program at the laboratories that has had its funding increase substantially in the last 24 months and we have halted a declassification initiative until its implementation can be reviewed—we have to ensure that our actions do not undermine the excellence of the laboratories.

Interactions with experts outside the laboratories and outside the United States are critical to the pursuit of scientific knowledge and underpin the vitality of the laboratories. Cutting off those interactions will cause the capabilities at the laboratories to fade with time until, at some point, no one would spy on our labs there wouldn't be anything worthwhile in them.

I have been briefed by:

The Director of Central Intelligence;

The Director of the Federal Bureau of Investigation;

Department of Energy officials, and others on the recent allegations of spying by the Chinese at Los Alamos National Laboratory. I will await the final report of the panel of experts appointed by the Administration before I assess what damage has been done by this latest episode, but some facts are evident.

We do know, without doubt, that China's intelligence program against the United States has yielded some results—they have gained access to classified nuclear weapons design information. However, we do not know how much information they have gained or how much that information benefited their nuclear weapons program.

I must also say that it is unclear how China gained that information. The Chinese do target our nuclear weapons laboratories, but they also target other potential sources of the same information including other parts of the government, its contractors, and the military branches.

It is also unclear how useful information China may have gained, about the W–88 in particular, is to China. The W–88 is extremely advanced; the product of fifty years of our best scientific and engineering know-how. In many ways, China's nuclear weapons program is not capable of utilizing the W–88 design.

That is not reassuring when you look out over the coming decades, and in any case, knowing where our years of work led our designers will allow the Chinese to avoid some of the mistakes we made, but the Chinese do not currently have warheads anything like the W–88.

Despite the fact that the Chinese capability today does not come anywhere near matching ours, the Chinese nuclear weapons program is threatening. China does share its nuclear weapons technology with others along with its missile technology, and it continues to develop more advanced nuclear weapons designs.

Chinese nuclear capabilities threaten its neighbors and limit the opportunities to pursue broad arms control

agreements—for example, Russian negotiations on a START III treaty will be strongly influenced by the growing Chinese capability on Russia's eastern border, and India continues to develop more advanced nuclear weapons partly in response to China's program.

I will say very little about the allegations against a specific scientist at Los Alamos. However, given what we know about China's intelligence program, it is not unreasonable to assume that scientists at all three weapons labs have knowingly or unknowingly been approached to provide classified information to China or its intermediaries. The laboratories are cognizant of that threat. Frankly, I don't know if the steps the laboratories, working with the Department of Energy and the Federal Bureau of Investigation, are taking are sufficient to prevent espionage at our laboratories.

I have met with Director Freeh I, and he assures me that the FBI is doing all it can in this regard. I am certain that, no matter what steps we take, the Chinese and others will continue their efforts.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, March 23, 1999, the federal debt stood at $5,645,199,129,224.03 (Five trillion, six hundred forty-five billion, one hundred ninety-nine million, one hundred twenty-nine thousand, two hundred twenty-four dollars and three cents).

One year ago, March 23, 1998, the federal debt stood at $5,539,833,000,000 (Five trillion, five hundred thirty-nine billion, eight hundred thirty-three million).

Five years ago, March 23, 1994, the federal debt stood at $4,559,372,000,000 (Four trillion, five hundred fifty-nine billion, three hundred seventy-two million).

Ten years ago, March 23, 1989, the federal debt stood at $2,737,055,000,000 (Two trillion, seven hundred thirty-seven billion, fifty-five million).

Fifteen years ago, March 23, 1984, the federal debt stood at $1,465,084,000,000 (One trillion, four hundred sixty-five billion, eighty-four million) which reflects a debt increase of more than $4 trillion—$4,180,115,129,224.03 (Four trillion, one hundred eighty billion, one hundred fifteen million, one hundred twenty-nine thousand, two hundred twenty-four dollars and three cents) during the past 15 years.

SENATE CONCURRENT RESOLUTION 21

Mr. COCHRAN. Mr. President, I regret that because of my father's funeral in Mississippi yesterday, I was not present in the Senate to vote on S. Con. Res. 21, authorizing the President of the United States to conduct military air operations and missile strikes against the Federal Republic of Yugoslavia (Serbia and Montenegro). Had I been present, I would have voted ''aye'' on the resolution.

The authorization is carefully limited and is designed to permit the participation of military forces of the United States, in concert with NATO allies, in an action to respond to a clear threat to the security and stability of Europe and indirectly to our own security interests.

It is my hope that this action will serve to signal the willingness of the United States government to keep its commitments under the NATO treaty and to be a force for peace and freedom in the region sought to be protected by the alliance.

FRANCESCO (GHEIB) GHEBRESILLASSIE RETIRES

Mr. LOTT. Mr. President, Francesco Ghebresillassie plans to retire after 32 years of service to the Senate. That is quite a record, and it deserves notices from those of us who depend so heavily upon—and are never disappointed by—Gheib and the men and women who work with him.

Since 1987, he has been Manager of the Production Services Branch of Central Operations under the Sergeant at Arms. In that role, he has supervised all the activities of the Micrographics and Production Services sections. He came to that post step by step, working his way from machine operator to computer operator to shift supervisor. By 1975, he was responsible for two work shifts and for the operations in two buildings.

Thereafter, as Hardware Manager, he was responsible for keeping the Senate current with technological changes in the computer arena, refining our procedures, and working with vendors. Later on, as User Support Manager and Production Services Manager, he emphasized quality service to the staff who sit at the thousands of computers within our Senate offices. He has been responsible for interaction with them, and has improved the tech support they have needed to deal with the rapid pace of change in the cyber world. Gheib has also supervised the staff who maintain our microfilm documents for posterity.

Needless to say, today's Senate is quite a different institution from the one to which Gheib came in 1967. One of the ways it has changed for the better has been the technological modernization of which Gheib has been a part. Because of his labors, and the diligence of those who have worked with him over the years, we have been able to better serve the folks back home in ways that were not possible three decades ago.

As we congratulate Gheib on his retirement, I want to also acknowledge his wife, Theresa, who works for our colleague from Wisconsin, Senator KOHL. We wish for them and for their daughters, Lisa and Ayesha, all the good things the future can bring.

CONNIE SULLIVAN RETIRES

Mr. LOTT. Mr. President, Connie Sullivan, who has served as Reprographic Manager in the Service Department since 1989, plans to retire in June. This will be a significant loss for the Senate. For the past decade, she has been responsible for all phases of the Reprographics Division—more recently known as Printing, Graphics, and Direct Mail—within the Sergeant at Arms office.

Connie has been with the Senate for 24 years. She came here in February, 1975 from the House of Representatives as a Composer Technician in the newly created ''Composing Room,'' which was part of the Printing Section of our Department. You can imagine the technological changes Connie has seen since then, when she was asked to assume the duties of Composer with oversight for all the typesetting and layout functions of the Composing Room.

In the restructing of the Service Department in 1984, when the Composing Room became the Pre-Press Section, Connie was promoted to supervisor. In a subsequent reorganization in 1986, she was again promoted to Operations Branch Head. That was a well-deserved recognition of her long experience with the growth and integration of services and, especially, the development of the Pre-Press section from conventional typesetting and layout to desk-top publishing and a full-color graphics operations.

In that regard, Connie has been one of the people who have helped the Senate enter fully into the information age. We are able to keep in closer touch with our constituents, and they with us, and that has a positive impact on just about everything we do here.

So on behalf of the Senate, I want to thank Connie for all her years of service and wish her many happy years of time with her family, her garden, and the enduring satisfaction of a job well done.

RUSSELL JACKSON RETIRES

Mr. LOTT. Mr. President, there are today only four Senators who were here in 1965 when Russell Jackson first came to the Senate to work as an elevator operator. He has observed this institution, both its changes and its continuity, for a long, long time. Now, as he retires as Senior Manager of Central Operations, I want to thank him, on behalf of the entire Senate, for a lifetime of service.

Early on, Russell interrupted his work here for a different kind of service, in the U.S. Army, but he returned to the Senate to work with the Office of the Superintendent. Within that Office, he worked his way up the ladder by doing it all: evening shift, day shift, staff assistant, supervisor, office manager, and senior service officer.

Within the confines of the Senate family, we all know how important is the coordination of office moves, the

maintenance of our furniture inventory, and all the other operations of the Superintendent's Office. Russell had a hand in it all, and also served as liaison between the Superintendent and our Senate offices.

Since 1987, Russell has been Director of the Service Department, a division that is little known to the outside world but so essential to all of us in the Senate. His leadership there brought technological changes to meet the Senate's increasing demands for charts, graphs, exhibits, and the enormous amount of daily work that keeps our offices in contact with constituents and the media. At the same time, he updated personnel practices to boost both productivity and morale, and to open advancement opportunities through an evaluation process and cross training for staff.

The Senate, and the constituents whom we are here to serve, owe him a debt of gratitude. And I know my colleagues join me in wishing him a wonderful retirement.

KOSOVO

Mr. GRAMS. Mr. President, at this moment, U.S. forces under NATO command are conducting air strikes against Serbia. And they have my full support and endorsement as they go into battle. We all hope that bombing Serbia ends the cycle of violence between the Serbs and ethnic Albanians in that region.

Yesterday, I voted against authorizing the use of force because the President refused to explain to Congress and the American people how his goals would be achieved by bombing, and what our plan would be after the bombing stops—if Milosevic refuses to yield. I still do not see how bombing Serbia will bring about peace or end the atrocities being committed. I do not see how bombing Serbia will lead to the Administration's goals of greater political autonomy to Kosovo, the withdrawal of most Serbian military forces, protection of minorities, and a more equitable ethnic representation among local police. That being said, I fully support our troops and I'm confident they will carry out their mission successfully.

We should all support our troops and hope that we have not started down a slippery slope where the President insists that in order to protect our credibility or NATO's credibility we have to send in U.S. ground troops. The U.S. officially recognizes that Kosovo is part of Serbia, which along with Montenegro, forms the sovereign state of the Federal Republic of Yugoslavia. And Yugoslav President Slobodan Milosevic has made it clear that Serbia does not want foreign troops on its soil. President Clinton, however, is bombing Serbia in order to force Serbia to agree to a peace accord which U.S. troops would be put on the ground to enforce—as an occupation force, not a peacekeeping force.

There is an ongoing civil war between the Serbs and the ethnic Albanians and the combatants have not exhausted their will to fight. So when the President talks about sending 4,000 American military men and women to Kosovo, he is talking about making peace not keeping peace. The Kosovo Liberation Army is fighting for independence; the Serbs are fighting for complete control by Belgrade. While the Kosovars have accepted the U.S.-supported plan, neither side enthusiastically embraces the U.S.-supported plan of limited autonomy. This is a recipe for disaster.

The President's decision to use NATO to attack Serbia fundamentally changes the nature of NATO. NATO has never attacked a country that has not threatened its neighbors or a member of the alliance. I do not think we should fundamentally change the nature of one of the most successful military alliances in history without a debate.

Mr. President, I support our troops. And the best way that I can support them at this time is to declare that I will do everything in my power to make sure that U.S. troops are not put on the ground in Kosovo.

TRIBUTE TO CAPTAIN DOROTHY C. STRATTON

Mr. MURKOWSKI. Mr. President I rise today to recognize the outstanding accomplishments and distinguished service of Captain Dorothy C. Stratton, U.S. Coast Guard Reserve (Ret), on this her 100th birthday. She has served her country with honor as an educator, naval officer and public official.

Born in Brookfield, Missouri, Captain Stratton earned a Bachelor of Arts from Ottawa University in Ottawa, Kansas; a Master of Arts in Psychology from the University of Chicago; and a Doctorate of Philosophy in Student Personnel Administration from Columbia University. Captain Stratton joined Purdue University as the Dean of Women and Associate Professor of Psychology in 1933, becoming a full professor in 1940.

In June, 1942, with our nation embroiled in war, Professor Stratton left Purdue to join the Women Appointed Volunteer Emergency Service (WAVES). She was assigned as the Assistant to the Commanding Officer of the U.S. Naval Training Station in Madison, Wisconsin. Due to the military's pressing need for personnel, Congress authorized the Women's Reserve of the U.S. Coast Guard. The Act creating the Women's Reserve was signed into law by President Roosevelt on November 23, 1942, and within hours, Stratton became the first director of the new organization. She was the first female officer accepted for service in the history of the U.S. Coast Guard. She rose from Lieutenant Commander to the rank of Commander on January 1, 1944 and to the rank of Captain one month later.

One of Captain Stratton's first acts as Director of the U.S. Coast Guard Women's Reserve was to coin the famous name that would distinguish them from the Navy WAVES and the Army WACS. In a memo to the Commandant ADM Russell R. Waesche, Stratton explained: ''The motto of the Coast Guard is 'Semper Paratus—Always Ready.' The initials of this motto are of course, SPAR. Why not call the members of the Women's Reserve SPARS? . . . As I understand it, a spar is often a supporting beam and that is what we hope each member of the Women's Reserve will be.'' Admiral Waesche agreed, and the rest, as they say, is history.

Captain Stratton led over 10,000 volunteers who responded to their nation's call for help between 1942 and 1946. She completed her service as Director of the SPARS in January, 1946 and was awarded the Legion of Merit. She then served as Director of Personnel for the International Monetary Fund from 1946 to 1950, and as the National Executive Director of the Girl Scouts of America from 1950 to 1960.

Mr. President, I wish to congratulate Captain Dorothy Stratton and to thank her for all she has done for this great country of ours. She is a shining example to us all, and it is truly a pleasure to wish her a happy birthday today.

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 sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 1:00 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bills and joint resolutions, in which it requests the concurrence of the Senate:

H.R. 4. An act to declare it to be the policy of the United States to deploy a national missile defense.

H.R. 70. An act to amend title 38, United States Code, to enact into law eligibility requirements for burial in Arlington National Cemetery, and for other purposes.

H.R. 130. An act to designate the United States courthouse located at 40 Centre Street in New York, New York, as the ''Thurgood Marshall United States Courthouse.''

H.R. 416. An act to provide for the rectification of certain retirement coverage errors affecting Federal employees, and for other purposes.

H.R. 751. An act to designate the Federal building and United States courthouse located at 504 West Hamilton Street in Allentown, Pennsylvania, as the ''Edward N. Cahn

Federal Building and United States Courthouse.''

H.R. 1212. An act to protect producers of agricultural commodities who applied for a Crop Revenue Coverage PLUS supplemental endorsement for the 1999 crop year.

H.J. Res. 26. Joint resolution providing for the reappointment of Barber B. Conable, Jr. as a citizen regent of the Board of Regents of the Smithsonian.

H.J. Res. 27. Joint resolution providing for the reappointment of Dr. Hanna H. Gray as a citizen regent of the Board of Regents of the Smithsonian Institution.

H.J. Res. 28. Joint resolution providing for the reappointment of Wesley S. Williams, Jr. as a citizen regent of the Board of Regents of the Smithsonian Institution.

The message also announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 37. Concurrent resolution concerning anti-Semitic statements made by members of the Duma of the Russian Federation.

H. Con. Res. 44. Concurrent resolution authorizing the use of the Capitol Grounds for the 18th annual National Peace Officers' Memorial Service.

H. Con. Res. 47. Concurrent resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

H. Con. Res. 50. Concurrent resolution authorizing the 1999 District of Columbia Special Olympics Law Enforcement Torch Run to be run through the Capitol Grounds.

H. Con. Res. 52. Concurrent resolution authorizing the use of the East Front of the Capitol Grounds for performances sponsored by the John F. Kennedy Center for the Performing Arts.

H. Con. Res. 56. Concurrent resolution commemorating the 20th anniversary of the Taiwan Relations Act.

The message further announced that the House has passed the following bill, without amendment:

S. 314. An act to provide for a loan guarantee program to address the Year 2000 computer problems of small business concerns, and for other purposes.

The message also announced that pursuant to the provisions of 15 U.S.C. 1024(a), the Speaker appoints the following Members of the House Joint Economic Committee: Mr. SANFORD of South Carolina, Mr. DOOLITTLE of California, Mr. CAMPBELL of California, Mr. PITTS of Pennsylvania, and Mr. RYAN of Wisconsin.

The message further announced that pursuant to section 3 of Public Law 94–304, as amended by section 1 of Public Law 99–7, the Speaker appoints the following Members of the House to the Commission on Security and Cooperation in Europe: Mr. HOYER of Maryland, Mr. MARKEY of Massachusetts, Mr. CARDIN of Maryland, and Ms. SLAUGHTER of New York.

The message also announced that pursuant to the section 2(a) of the National Cultural Center Act (20 U.S.C. 76h(a)), the Speaker appoints the following Member of the House to the Board of Trustees of the John F. Kennedy Center for the Performing Arts: Mr. GEPHARDT of Missouri.

The message further announced that pursuant to the provisions of Public Law 96–388, as amended by Public Law 97–84 (36 U.S.C. 1402(a)), the Speaker appoints the following Members of the House to the United States Holocaust Memorial Council: Mr. LANTOS of California, and Mr. FROST of Texas.

The message also announced that the House agrees to the amendment of the Senate to the bill (H.R. 68) to amend section 20 of the Small Business Act and make technical corrections in title III of the Small Business Investment Act.

MEASURES REFERRED

The following bill was read the first and second times by unanimous consent and referred as indicated:

H.R. 70. An act to amend title 38, United States Code, to enact into law eligibility requirements for burial in Arlington National Cemetery, and for other purposes; to the Committee on Veterans Affairs.

H.R. 130. An act to designate the United States courthouse located 40 Centre Street in New York, New York, as the ''Thurgood Marshall United States Courthouse''; to the Committee on Environment and Public Works.

H.R. 416. An act to provide for the rectification of certain retirement coverage errors affecting Federal employees, and for other purposes; to the Committee on Governmental Affairs.

H.R. 751. An act to designate the Federal building and United States courthouse located at 504 West Hamilton Street in Allentown, Pennsylvania, as the ''Edward N. Cahn Federal Building and United States Courthouse''; to the Committee on Environment and Public Works.

The following concurrent resolutions were read and referred as indicated:

H. Con. Res. 37. Concurrent resolution concerning anti-Semitic statements made by members of the Duma of the Russian Federation; to the Committee on Foreign Relations.

H. Con. Res. 56. Concurrent resolution commemorating the 20th anniversary of the Taiwan Relations Act; to the Committee on Foreign Relations.

MEASURE PLACED ON THE CALENDAR

The following bill was read the first and second times and placed on the calendar:

H.R. 4. An act to declare it to be the policy of the United States to deploy a national missile defense.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–2302. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Pampa, TX'' (Docket 98–ASW–57) received on March 8, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2303. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 737–100, –200, –200C, –300, –400, and –500 Series Airplanes'' (Docket 99–NM–09–AD) received on March 8, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2304. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 757 Series Airplanes'' (Docket 96–NM–12–AD) received on March 8, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2305. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; British Aerospace Model BAC 1–11 200 and 400 Series Airplanes'' (Docket 98–NM–27–AD) received on March 8, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2306. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Garden City, KS'' (Docket 98–ACE–59) received on March 8, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2307. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Liberal, KS'' (Docket 98–ACE–60) received on March 8, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2308. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Lebanon, MO'' (Docket 98–ACE–10) received on March 8, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2309. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Stockton, MO'' (Docket 99–ACE–7) received on March 8, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2310. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone: Storrow Drive Connector Bridge (Central Artery Tunnel Project), Charles River, Boston, MA'' (Docket 01–99–015) received on March 8, 1999; to the Committee on Commerce, Science, and Transportation.

EC–2311. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Control of Air Pollution From New Motor Vehicles; Compliance Programs for New Light-Duty Vehicles and Light Trucks'' (FRL6312–9) received on March 17, 1999; to the Committee on Environment and Public Works.

EC–2312. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Regulations for Administrative and

Visitor Facility Sites on National Wildlife Refuges in Alaska'' (RIN1018–AE21) received on March 17, 1999; to the Committee on Environment and Public Works.

EC–2313. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Seasonal Closure of the Moose Range Meadows Public Access Easements in the Kenai National Wildlife Refuge'' (RIN1018–AE58) received on March 17, 1999; to the Committee on Environment and Public Works.

EC–2314. A communication from the Secretary of Energy, transmitting, a draft of proposed legislation entitled ''The Energy Policy and Conservation Act Amendments''; to the Committee on Energy and Natural Resources.

EC–2315. A communication from the Secretary of Energy, transmitting, pursuant to law, the Department's report on the Price-Anderson Act; to the Committee on Energy and Natural Resources.

EC–2316. A communication from the President and Chief Executive Officer of the Overseas Private Investment Corporation, transmitting, pursuant to law, the Corporation's Annual Performance Plan for fiscal year 2000; to the Committee on Foreign Relations.

EC–2317. A communication from the Administrator of the U.S. Agency for International Development, transmitting, pursuant to law, the Agency's Annual Performance Plan for fiscal year 2000; to the Committee on Foreign Relations.

EC–2318. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Department's report on the National Institutes of Health Loan Repayment Program for Research Generally for 1998; to the Committee on Health, Education, Labor, and Pensions.

EC–2319. A communication from the Assistant Secretary for Civil Rights, Department of Education, transmitting, pursuant to law, the annual report of the Office for Civil Rights for fiscal year 1998; to the Committee on Health, Education, Labor, and Pensions.

EC–2320. A communication from the Director of the Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''List of Drug Products That Have Been Withdrawn or Removed From the Market for Reasons of Safety or Effectiveness'' (Docket 98N–0655) received on March 17, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–2321. A communication from the Assistant Secretary of Labor, transmitting, pursuant to law, the report of a rule entitled ''Dipping and Coating Operations'' (RIN1218–AB55) received on March 17, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–2322. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the Commission's Annual Report to Congress for fiscal year 1998; to the Committee on the Judiciary.

EC–2323. A communication from the Administrator of the Panama Canal Commission, transmitting, pursuant to law, the Commission's annual report under the Freedom of Information Act for fiscal year 1998; to the Committee on the Judiciary.

EC–2324. A communication from the Rules Administrator of the Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Birth Control, Pregnancy, Child Placement, and Abortion'' (RIN1120–AA31) received on March 4, 1999; to the Committee on the Judiciary.

EC–2325. A communication from the Director of the Policy Directives and Instructions Branch, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Nonimmigrant Visa Exemption for Certain Nationals of the British Virgin Islands Entering the United States Through St. Thomas, United States Virgin Islands'' (RIN1115–AF28) received on February 18, 1999; to the Committee on the Judiciary.

EC–2326. A communication from the Executive Director of the Committee for Purchase From People Who are Blind or Severely Disabled, transmitting, pursuant to law, a list of additions to the Committee's Procurement List dated March 10, 1999; to the Committee on Governmental Affairs.

EC–2327. A communication from the Director of the United States Office of Personnel Management, transmitting, a draft of proposed legislation entitled ''The Retirement Coverage Error Correction Act''; to the Committee on Governmental Affairs.

EC–2328. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Department's report entitled ''Electrocardiogram Transportation Payments''; to the Committee on Finance.

EC–2329. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property'' (Rev. Rul. 99–17) received on March 17, 1999; to the Committee on Finance.

EC–2330. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Examination of Returns and Claims for Refund, Credit, or Abatement; Determination of Correct Tax Liability'' (Rev. Proc. 99–19) received on March 17, 1999; to the Committee on Finance.

EC–2331. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, the Department's report on an estimation that the limitation on the Government National Mortgage Association's authority to make commitments for fiscal year 1999 will be reached before the end of the year; to the Committee on Banking, Housing, and Urban Affairs.

EC–2332. A communication from the Assistant General Counsel for Regulations, Office of Public and Indian Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Public Housing Agency Plans'' (RIN2577–AB89) received on March 18, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–2333. A communication from the Assistant General Counsel for Regulations, Office of Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Real Estate Settlement Procedures Act (RESPA) Statement of Policy 1999–1 Regarding Lender Payments to Mortgage Brokers'' (RIN2502–AH33) received on March 18, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–2334. A communication from the Deputy Under Secretary of Defense for Environmental Security, transmitting, pursuant to law, the Defense Environmental Response Task Force report for fiscal year 1998; to the Committee on Armed Services.

EC–2335. A communication from the Deputy Under Secretary of Defense for Science and Technology, transmitting, pursuant to law, the Annual Report of the Strategic Environmental Research and Development Program for fiscal year 1998; to the Committee on Armed Services.

EC–2336. A communication from the Deputy Under Secretary of Defense for Science and Technology, transmitting, pursuant to law, the Annual Report of the Scientific Advisory Board of the Strategic Environmental Research and Development Program; to the Committee on Armed Services.

EC–2337. A communication from the Director of the Office of the Secretary of Defense, transmitting, pursuant to law, the Department's report entitled ''Extraordinary Contractual Actions to Facilitate the National Defense; to the Committee on Armed Services.

EC–2338. A communication from the Under Secretary of Defense for Acquisition and Technology, transmitting, pursuant to law, the Department's ''Report on Restructuring Costs Associated with Business Combinations'' dated March 1, 1999; to the Committee on Armed Services.

EC–2339. A communication from the General Counsel of the Department of Defense, transmitting, a draft of proposed legislation entitled ''The Military Pay and Retirement Reform Act''; to the Committee on Armed Services.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of committee was submitted on March 24, 1999:

By Mr. HELMS, from the Committee on Foreign Relations:

Treaty Doc. 104–6 (Exec. Rept. 106–1)

TEXT OF THE COMMITTEE RECOMMENDED RESOLUTION OF ADVICE AND CONSENT

Resolved (two-thirds of the Senators present concurring therein),

SECTION 1. SENATE ADVICE AND CONSENT SUBJECT TO CONDITIONS AND UNDERSTANDINGS .

The Senate advises and consents to the ratification of the Convention on Nuclear Safety, done at Vienna on September 20, 1994 (Senate Treaty Document 104–6), subject to the conditions of section 2 and the understandings of section 3.

SEC. 2. CONDITIONS.

The advice and consent of the Senate to ratification of the Convention on Nuclear Safety is subject to the following conditions, which shall be binding upon the President:

(1) CERTIFICATION ON THE ELIMINATION OF DUPLICATIVE ACTIVITIES.—

(A) IN GENERAL.—Not later than 45 days after the deposit of the United States instrument of ratification, the President shall certify to the appropriate committees of Congress that the United States Government will not engage in any multilateral activity in the field of international nuclear regulation or nuclear safety that unnecessarily duplicates a multilateral activity undertaken pursuant to the Convention.

(B) LIMITATION.—The United States shall not contribute to or participate in the operation of the Convention other than by depositing the United States instrument of ratification until the certification required by subparagraph (A) has been made.

(2) COMMITMENT TO REVIEW REPORTS.—Not later than 45 days after the deposit of the United States instrument of ratification, the President shall certify to the appropriate committees of Congress that the United States will comment in each review meeting held under Article 20 of the Convention (including each meeting of a subgroup) upon aspects of safety significance in any report submitted pursuant to Article 5 of the Convention by any State Party that is receiving United States financial or technical assistance relating to the improvement in safety of its nuclear installations.

(3) LIMITATION ON THE COST OF IMPLEMENTATION.—

(A) LIMITATION.—Notwithstanding any provision of the Convention, and subject to the requirements of subparagraphs (B), (C), (D), and (E), the United States shall pay no more than $1,000,000 as the portion of the United States annual assessed contribution to the International Atomic Energy Agency attributable to the payment of the costs incurred by the Agency in carrying out all activities under the Convention.

(B) RECALCULATION OF LIMITATION.—

(i) IN GENERAL.—On January 1, 2000, and at 3-year intervals thereafter, the Administrator of General Services, in consultation with the Secretary of State, shall prescribe an amount that shall apply in lieu of the amount specified in subparagraph (A) and that shall be determined by adjusting the last amount applicable under that subparagraph to reflect the percentage increase by which the Consumer Price Index for the preceding calendar year exceeds the Consumer Price Index for the calendar year three years previously.

(ii) CONSUMER PRICE INDEX DEFINED.—In this subparagraph, the term ''Consumer Price Index'' means the last Consumer Price Index for all-urban consumers published by the Department of Labor.

(C) ADDITIONAL CONTRIBUTIONS REQUIRING CONGRESSIONAL APPROVAL.—

(i) AUTHORITY.—Notwithstanding subparagraph (A), the President may furnish additional contributions to the regular budget of the International Atomic Energy Agency which would otherwise be prohibited under subparagraph (A) if—

(I) the President determines and certifies in writing to the appropriate committees of Congress that the failure to make such contributions for the operation of the Convention would jeopardize the national security interests of the United States; and

(II) Congress enacts a joint resolution approving the certification of the President under subclause (I).

(ii) STATEMENT OF REASONS.—Any certification made under clause (i) shall be accompanied by a detailed statement setting forth the specific reasons therefor and the specific uses to which the additional contributions provided to the International Atomic Energy Agency would be applied.

(4) COMPLETE REVIEW OF INFORMATION BY THE LEGISLATIVE BRANCH OF GOVERNMENT.—

(A) UNDERSTANDING.—The United States understands that neither Article 27 nor any other provision of the Convention shall be construed as limiting the access of the legislative branch of the United States Government to any information relating to the operation of the Convention, including access to information described in Article 27 of the Convention.

(B) PROTECTION OF INFORMATION.—The Senate understands that the confidentiality of information provided by other States Parties that is properly identified as protected pursuant to Article 27 of the Convention will be respected.

(C) CERTIFICATION.—Not later than 45 days after the deposit of the United States instrument of ratification, the President shall certify to the appropriate committees of Congress that the Comptroller General of the United States shall be given full and complete access to—

(i) all information in the possession of the United States Government specifically relating to the operation of the Convention that is submitted by any other State Party pursuant to Article 5 of the Convention, including any report or document; and

(ii) information specifically relating to any review or analysis by any department, agency, or other entity of the United States, or any official thereof, undertaken pursuant to Article 20 of the Convention, of any report or document submitted by any other State Party.

(D) REPORTS TO CONGRESS.—Upon the request of the chairman of either of the appropriate committees of Congress, the President shall submit to the respective committee an unclassified report, and a classified annex as appropriate, detailing—

(i) how the objective of a high level of nuclear safety has been furthered by the operation of the Convention;

(ii) with respect to the operation of the Convention on an Article-by-Article basis—

(I) the situation addressed in the Article of the Convention;

(II) the results achieved under the Convention in implementing the relevant obligation under that Article of the Convention; and

(III) the plans and measures for corrective action on both a national and international level to achieve further progress in implementing the relevant obligation under that Article of the Convention; and

(iii) on a country-by-country basis, for each country that is receiving United States financial or technical assistance relating to nuclear safety improvement—

(I) a list of all nuclear installations within the country, including those installations operating, closed, and planned, and an identification of those nuclear installations where significant corrective action is found necessary by assessment;

(II) a review of all safety assessments performed and the results of those assessments for existing nuclear installations;

(III) a review of the safety of each nuclear installation using installation-specific data and analysis showing trends of safety significance and illustrated by particular safety-related issues at each installation;

(IV) a review of the position of the country as to the further operation of each nuclear installation in the country;

(V) an evaluation of the adequacy and effectiveness of the national legislative and regulatory framework in place in the country, including an assessment of the licensing system, inspection, assessment, and enforcement procedures governing the safety of nuclear installations;

(VI) a description of the country's on-site and off-site emergency preparedness; and

(VII) the amount of financial and technical assistance relating to nuclear safety improvement expended as of the date of the report by the United States, including, to the extent feasible, an itemization by nuclear installation, and the amount intended for expenditure by the United States on each such installation in the future.

(5) AMENDMENTS TO THE CONVENTION.—

(A) VOTING REPRESENTATION OF THE UNITED STATES.—A United States representative—

(i) will be present at any review meeting, extraordinary meeting, or Diplomatic Conference held to consider any amendment to the Convention Amendment Conferences; and

(ii) will cast a vote, either affirmative or negative, on each proposed amendment made at any such meeting or conference.

(B) SUBMISSION OF AMENDMENTS AS TREATIES.—The President shall submit to the Senate for its advice and consent to ratification under Article II, Section 2, Clause 2 of the Constitution of the United States any amendment to the Convention adopted at a review meeting, extraordinary meeting, or Diplomatic Conference.

(6) TREATY INTERPRETATION.—

(A) PRINCIPLES OF TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally-based principles of treaty interpretation set forth in condition (1) in the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988.

(B) CONSTRUCTION OF SENATE RESOLUTION OF RATIFICATION.—Nothing in condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, shall be construed as authorizing the President to obtain legislative approval for modifications or amendments to treaties through majority approval of both Houses of Congress.

(C) DEFINITION.—As used in this paragraph, the term ''INF Treaty'' refers to the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter Range Missiles, together with the related memorandum of understanding and protocols, done at Washington on December 8, 1987.

SEC. 3. UNDERSTANDINGS.

The advice and consent of the Senate to the Convention on Nuclear Safety is subject to the following understandings:

(1) DISMANTLEMENT OF THE JURAGUA NUCLEAR REACTOR.—The United States understands that—

(A) no practical degree of upgrade to the safety of the planned nuclear installation at Cienfuegos, Cuba, can adequately improve the safety of the existing installation; and

(B) therefore, Cuba must undertake, in accordance with its obligations under the Convention, not to complete the Juragua nuclear installation.

(2) IAEA TECHNICAL ASSISTANCE.—

(A) FINDINGS.—The Senate finds that—

(i) since its creation, the International Atomic Energy Agency has provided more than $50,000,000 of technical assistance to countries of concern to the United States, as specified in section 307(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2227(a)) and in provisions of foreign operations appropriations Acts;

(ii) the International Atomic Energy Agency has budgeted, from 1995 through 1999, more than $1,500,000 for three ongoing technical assistance projects related to the Bushehr nuclear installation under construction in Iran; and

(iii) the International Atomic Energy Agency continues to provide technical assistance to the partially completed nuclear installation at Cienfuegos, Cuba.

(B) SENSE OF THE SENATE.—The Senate urges the President to withhold each fiscal year a proportionate share of the United States voluntary contribution allocated for the International Atomic Energy Agency's technical cooperation fund unless and until the Agency discontinues the provision of all technical assistance to programs and projects in Iran and Cuba.

SEC. 4. DEFINITIONS.

As used in this resolution:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

(2) CONVENTION.—The term ''Convention'' means the Convention on Nuclear Safety, done at Vienna on September 20, 1994 (Senate Treaty Document 104–6).

(3) NUCLEAR INSTALLATION.—The term ''nuclear installation'' has the meaning given the term in Article 2(i) of the Convention.

(4) STATE PARTY.—The term ''State Party'' means any nation that is a party to the Convention.

(5) UNITED STATES INSTRUMENT OF RATIFICATION.—The term ''United States instrument of ratification'' means the instrument of ratification of the United States of the Convention.

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. HELMS (for himself and Mr. TORRICELLI):

S. 693. A bill to assist in the enhancement of the security of Taiwan, and for other purposes; to the Committee on Foreign Relations.

By Mr. GRAMM (for himself and Mrs. HUTCHISON):

S. 694. A bill to authorize the conveyance of the Naval Weapons Industrial Reserve Plant No. 387, Dallas, Texas; to the Committee on Armed Services.

By Mr. CLELAND (for himself and Mr. COVERDELL):

S. 695. A bill to direct the Secretary of Veterans Affairs to establish a national cemetery for veterans in the Atlanta, Georgia, metropolitan area; to the Committee on Veterans' Affairs.

By Mr. WELLSTONE:

S. 696. A bill to require the Secretary of Health and Human Services to submit to Congress a plan to include as a benefit under the medicare program coverage of outpatient prescription drugs, and to provide for the funding of such benefit; to the Committee on Finance.

By Mrs. BOXER (for herself and Ms. SNOWE):

S. 697. A bill to ensure that a woman can designate an obstetrician or gynecologist as her primary care provider; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MURKOWSKI:

S. 698. A bill to review the suitability and feasibility of recovering costs of high altitude rescues at Denali National Park and Preserve in the state of Alaska, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself and Mr. BAUCUS):

S. 699. A bill to protect the public, especially senior citizens, against telemarketing fraud, including fraud over the Internet, and to authorize an educational campaign to improve senior citizens' ability to protect themselves against telemarketing fraud; to the Committee on the Judiciary.

By Mr. AKAKA (for himself and Mr. INOUYE):

S. 700. A bill to amend the National Trails System Act to designate the Ala Kahakai Trail as a National Historic Trail; to the Committee on Energy and Natural Resources.

By Mr. MOYNIHAN (for himself and Mr. SCHUMER):

S. 701. A bill to designate the Federal building located at 290 Broadway in New York, New York, as the ''Ronald H. Brown Federal Building''; to the Committee on Environment and Public Works.

By Mr. HARKIN (for himself, Mrs. BOXER, Mr. KERRY, Mr. LEAHY, Mr. INOUYE, Mr. TORRICELLI, Mr. KENNEDY, Ms. MIKULSKI, and Mrs. MURRAY):

S. 702. A bill to amend the Fair Labor Standards Act of 1938 to prohibit discrimination in the payment of wages on account of sex, race, or national origin, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SMITH of New Hampshire (for himself, Mr. CRAIG, Mr. INHOFE, and Mr. HELMS):

S. 703. A bill to amend section 922 of chapter 44 of title 18, United States Code; to the Committee on the Judiciary.

By Mr. KYL (for himself, Mr. JOHNSON, Mr. HATCH, Mr. THURMOND, Mr. INOUYE, Mr. GRASSLEY, Mr. DORGAN, Mr. SESSIONS, Mr. CLELAND, Mr. ASHCROFT, Mrs. LINCOLN, and Mr. ABRAHAM):

S. 704. A bill to amend title 18, United States Code, to combat the overutilization of prison health care services and control rising prisoner health care costs; to the Committee on the Judiciary.

By Mr. ASHCROFT:

S. 705. A bill to repeal section 8003 of Public Law 105–174; to the Committee on Commerce, Science, and Transportation.

By Ms. SNOWE (for herself, Mrs. HUTCHISON, Mrs. MURRAY, Ms. MIKULSKI, Mrs. BOXER, Ms. COLLINS, Mr. ROCKEFELLER, Mr. REID, Mr. BIDEN, Mr. AKAKA, Mr. KERRY, Mr. ASHCROFT, Mr. DODD, Mr. DURBIN, Mr. TORRICELLI, Mr. INOUYE, Mr. LIEBERMAN, and Mr. SARBANES):

S. 706. A bill to create a National Museum of Women's History Advisory Committee; to the Committee on Rules and Administration.

By Mr. GRASSLEY (for himself, Mr. BREAUX, Mr. SANTORUM, Mr. REED, Mrs. LINCOLN, Mr. BRYAN, Mr. DODD, Mr. KOHL, and Mr. REID):

S. 707. A bill to amend the Older Americans Act of 1965 to establish a national family caregiver support program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DEWINE (for himself, Mr. ROCKEFELLER, Mr. CHAFEE, Ms. LANDRIEU, Mr. LEVIN, Mr. KERRY, and Mr. KERREY):

S. 708. A bill to improve the administrative efficiency and effectiveness of the Nation's abuse and neglect courts and the quality and availability of training for judges, attorneys, and volunteers working in such courts, and for other purposes consistent with the Adoption and Safe Families Act of 1997; to the Committee on the Judiciary.

By Mr. MURKOWSKI (for himself and Mr. DASCHLE):

S. 709. A bill to amend the Housing and Community Development Act of 1974 to establish and sustain viable rural and remote communities, and to provide affordable housing and community development assistance to rural areas with excessively high rates of outmigration and low per capita income levels; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. LOTT (for himself, Mr. COCHRAN, Mr. BREAUX, Mr. HUTCHINSON, Mr. THOMAS, Mr. CRAIG, and Mr. MURKOWSKI):

S. 710. A bill to authorize the feasibility study on the preservation of certain Civil War battlefields along the Vicksburg Campaign Trail; to the Committee on Energy and Natural Resources.

By Mr. MURKOWSKI (for himself and Mr. STEVENS):

S. 711. A bill to allow for the investment of joint Federal and State funds from the civil settlement of damages from the Exxon Valdez oil spill, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LOTT (for himself, Mrs. HUTCHISON, Mr. BREAUX, and Mr. WYDEN):

S. 712. A bill to amend title 39, United States Code, to allow postal patrons to contribute to funding for highway-rail grade crossing safety through the voluntary purchase of certain specially issued United States postage stamps; to the Committee on Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. LOTT (for himself, Mr. DASCHLE, Mr. ABRAHAM, Mr. AKAKA, Mr. ALLARD, Mr. ASHCROFT, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BREAUX, Mr. BROWNBACK, Mr. BRYAN, Mr. BUNNING, Mr. BURNS, Mr. BYRD, Mr. CAMPBELL, Mr. CHAFEE, Mr. CLELAND, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. COVERDELL, Mr. CRAIG, Mr. CRAPO, Mr. DEWINE, Mr. DODD, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. EDWARDS, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FITZGERALD, Mr. FRIST, Mr. GORTON, Mr. GRAHAM, Mr. GRAMM, Mr. GRAMS, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HARKIN, Mr. HATCH, Mr. HELMS, Mr. HOLLINGS, Mr. HUTCHINSON, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. JEFFORDS, Mr. JOHNSON, Mr. KENNEDY, Mr. KERREY, Mr. KERRY, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Mr. MACK, Mr. MCCAIN, Mr. MCCONNELL, Ms. MIKULSKI, Mr. MOYNIHAN, Mr. MURKOWSKI, Mrs. MURRAY, Mr. NICKLES, Mr. REED, Mr. REID, Mr. ROBB, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. ROTH, Mr. SANTORUM, Mr. SARBANES, Mr. SCHUMER, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH of New Hampshire, Mr. SMITH of Oregon, Ms. SNOWE, Mr. SPECTER, Mr. STEVENS, Mr. THOMAS, Mr. THOMPSON, Mr. THURMOND, Mr. TORRICELLI, Mr. VOINOVICH, Mr. WARNER, Mr. WELLSTONE, and Mr. WYDEN):

S. Res. 74. A resolution expressing the support of the Senate for the members of the United States Armed Forces who are engaged in military operations against the Federal Republic of Yugoslavia; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HELMS (for himself and Mr. TORRICELLI):

S. 693. A bill to assist in the enhancement of the security of Taiwan, and for other purposes; to the Committee on Foreign Relations

TAIWAN SECURITY ENHANCEMENT ACT

Mr. HELMS. Mr. President, today on behalf of the distinguished Senator from New Jersey, Mr. TORRICELLI, and myself, I am sending to the desk a bill entitled ''The Taiwan Security Enhancement Act.''

The PRESIDING OFFICER. The bill will be received.

Mr. HELMS. I thank the Chair.

This bill is to do the best we can to ensure that the United States is fulfilling its obligations to the Republic of China as specified by the Taiwan Relations Act.

Mr. President, this has been done reasonably well for about 20 years, but recent trends disclose the need for efforts by the United States to be stepped up, hence the introduction of this bill by Senator TORRICELLI and

me. There will undoubtedly be further additions to the sponsorship of this bill. In any case, as you know, the Pentagon, last month, delivered to the Congress a report entitled ''The Security Situation in the Taiwan Straits.'' Frankly, I found this report exceedingly disturbing.

For openers, the report stated that Red China has been and will continue to deploy a large number of missiles directly across the strait from Taiwan. In fact, according to media reports, China already has more than 150 such missiles aimed at Taiwan and plans to increase the number to 650 during the next few years.

Taiwan has virtually no defenses against such missiles. In 1995 and 1996, Red China proved beyond a shadow of a doubt a willingness to use these missiles, at a minimum to intimidate Taiwan.

I think Americans should also be concerned about Chinese missiles. In late November, the Chinese People's Liberation Army conducted exercises consisting of mock missile attacks on United States forces in South Korea and in Japan. The Pentagon report, to which I just referred, also makes clear that mainland China's vast quantitative edge over Taiwan in naval and air power, coupled with China's ongoing modernization drive, will prove overwhelming in any sort of military confrontation. The Pentagon report concluded that Taiwan's future success in deterring Chinese aggression will be—and I quote from the report—''dependent on its continued acquisition of modern arms, technology and equipment and its ability to deal with a number of systemic problems'' such as logistics.

This is precisely where the United States had better step in, Mr. President, because the United States is the only power in the world that can assure that Taiwan can continue to acquire the weapons it needs and deal with its systemic problems.

The question is, Will we do it? Communist China has coupled its military buildup and threats against Taiwan with increased pressure on the United States to limit or to cease our arms sales to Taiwan. This is reminiscent of 1982 when the Reagan administration yielded to Chinese pressure and mistakenly agreed to limit and gradually reduce our arms sales to Taiwan in the regrettable August communique.

President Clinton, similarly, last summer caved in to Beijing's three noes—no, no, no. Will arms sales to Taiwan be sacrificed next? I put a question mark after it because I hope the administration will recover from its lack of foresight of last summer.

In any event, if one listens to administration officials, who somehow seem incapable of commenting on arms sales to Taiwan without mentioning the 1982 communique, or the administration's refusal to sell submarines to Taiwan on the flimsy pretext that those submarines are offensive, I think one will get some idea of where the United States arms sales to Taiwan will be if we do not now stand steadfast.

Let me explain. Sections 3(a) and 3(b) of the Taiwan Relations Act compel us, oblige us, to provide defensive arms to Taiwan based solely upon the judgment of the United States regarding Taiwan's needs, meaning that Beijing's opinion doesn't count. Given China's threatening military buildup, it is unlikely that Taiwan's legitimate needs are going to go down soon. Nor should U.S. arms sales go down, Mr. President.

Moreover, it is high time to begin a discussion of whether the United States ought to be doing more in the way of exchanges in training and planning with Taiwan's military. The Taiwan military has operated in virtual isolation for 20 years, and this has certainly contributed to some of the systemic problems alluded to in the Pentagon report, to which I referred just a moment ago.

Taiwan's military does not exercise with us. They do not plan with us. When the Red Chinese missiles were flying over Taiwan in 1996 and our carriers went to the strait, the Taiwan military had no direct or secure way of communicating with the United States fleet, none whatsoever. The question is, Do we want to be stuck in that situation again? While the Secretary of Defense and other top officials can rub elbows in Beijing and possibly have champagne, the State Department prevents any other officer above the rank of colonel setting foot on Taiwan.

In addition to being outrageous, this cannot help having a corrosive effect on our joint ability to deter conflict in the Taiwan Strait over time.

All of this is why I have introduced, with Senator TORRICELLI, the Taiwan Security Enhancement Act, which has three main thrusts. Let me briefly identify each of them.

One, the Taiwan Security Enhancement Act seeks to ensure that our friends in Taiwan will have the necessary equipment to maintain their self-defense capabilities as required by the Taiwan Relations Act. It does this by prohibiting any politically motivated reductions in arms sales to Taiwan pursuant to the 1982 communique and by authorizing the sale to Taiwan of a broad array of defense systems, including missile defense systems, satellite early warning data, diesel submarines, and advanced air-to-air missiles.

Secondly, the Taiwan Security Enhancement Act, which I have just introduced, seeks to bolster the process for defense sales to Taiwan. The bill does this in several ways. It requires an increase in staffing at the currently overworked technical section at the American Institute in Taiwan. It also requires the President to report to Congress annually on Taiwan's defense requests and to justify any rejection or postponement of arms sales to Taiwan.

These actions are not currently taken and the President and the Congress need to get more involved in the process, precisely as the Taiwan Security Enhancement Act, which I just introduced, will require.

Third, the Taiwan Security Enhancement Act will redress some of the deficiencies in readiness resulting in part from the 20-year isolation of Taiwan's military. This will be achieved by supporting Taiwan's increased participation at United States defense colleges, requiring the enhancement of our military exchanges and joint training, and establishing direct communication between our respective militaries.

All of this will merely implement section 2(b)(6) of what? It will implement the Taiwan Relations Act, which calls for the United States—not Taiwan, but the United States—to maintain a capacity to resist any resort to force or coercion that would jeopardize Taiwan.

How can we maintain that capacity over the long run if we can't even communicate with Taiwan's military—obviously, we can't—or if we do not do joint planning and training with Taiwan's military?

I can hear it now. Some are going to say this is provocative. They will claim that doing these things will upset the United States relationship with China. This is true. The Red Chinese won't like this bill. But I think we all know, Mr. President, that many of the things called for in this legislation must be done at the earliest possible time.

China's behavior—let me be clear—mainland China's behavior is a clear warning that it is time for the United States to be much more serious about maintaining a posture of deterrence in the western Pacific and in protecting our loyal, long-time friends in the Republic of China on Taiwan.

By Mr. GRAMM (for himself and Mrs. HUTCHISON):

S. 694. A bill to authorize the conveyance of the Naval Weapons Industrial Reserve Plant No. 387, Dallas, Texas; to the Committee on Armed Services.

CONVEYANCE OF THE NAVAL WEAPONS INDUSTRIAL RESERVE PLANT NO. 387, DALLAS, TEXAS

● Mr. GRAMM. Mr. President, along with Senator KAY BAILEY HUTCHISON, I am introducing legislation today which will authorize the Secretary of the Navy to transfer ownership of the property known as the Naval Weapons Industrial Reserve Plant #387, located in Dallas, Texas, to the City of Dallas. This legislation allows the Navy to divest itself of property no longer needed to accomplish the Navy's mission, while enabling the City of Dallas to maintain and develop the facilities in the best interests of the citizens of the Metroplex.

The Navy Weapons Plant in Dallas is adjacent to Naval Air Station Dallas, which was closed by the Base Closure and Realignment Commission of 1993. Years ago, the work performed at the plant directly supported the Navy and its missions, but today, the Navy no

longer needs the facility. With all of our military services struggling to meet today's unprecedented number of peacekeeping, humanitarian assistance, and sanctions enforcement operations, the Navy and the taxpayer cannot afford to maintain a facility that is no longer needed. The legislation I introduce today relieves the Navy of the costs of ownership while ensuring that the citizens of North Texas are allowed to use the facilities for public benefit.

The bill will permit the City of Dallas to continue its special relationship with Northrop Grumman Corporation, the current contract tenant. Northrop Grumman utilizes the facility primarily to manufacture commercial aircraft components and systems. As one of America's premier aerospace and defense companies, Northrop Grumman's operations in Dallas are vital to our national economy and security, as evidenced by their annual economic impact of $840 million. Northrop Grumman's current operations at the plant provide direct employment for 5,600 Texas workers, while another 16,800 indirect jobs are created in the metropolitan area. This bill gives the City of Dallas the opportunity to assure the continuation of jobs, growth, and opportunity at the plant when the Navy leaves the area. This is precisely the kind of public-private partnership that will be the foundation for prosperity in the future. I ask my colleagues to support this important legislation.

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

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

S. 694

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

SECTION 1. LAND CONVEYANCE, NAVAL WEAPONS INDUSTRIAL RESERVE PLANT NO. 387, DALLAS, TEXAS.

(a) CONVEYANCE AUTHORIZED.—(1) The Secretary of the Navy may convey to the City of Dallas, Texas (in this section referred to as the ''City''), all right, title, and interest of the United States in and to parcels of real property consisting of approximately 314 acres and comprising the Naval Weapons Industrial Reserve Plant No. 387, Dallas, Texas.

(2)(A) As part of the conveyance authorized by paragraph (1), the Secretary may convey to the City such improvements, equipment, fixtures, and other personal property located on the parcels referred to in that paragraph as the Secretary determines to be not required by the Navy for other purposes.

(B) The Secretary may permit the City to review and inspect the improvements, equipment, fixtures, and other personal property located on the parcels referred to in paragraph (1) for purposes of the conveyance authorized by this paragraph.

(b) AUTHORITY TO CONVEY WITHOUT CONSIDERATION.—The conveyance authorized by subsection (a) may be made without consideration if the Secretary determines that the conveyance on that basis would be in the best interests of the United States.

(c) EXCEPTION FROM SCREENING REQUIREMENT.—The conveyance authorized by subsection (a) shall be made without regard to the requirement under section 2696 of title 10, United States Code, that the property be screened for further Federal use in accordance with the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.).

(d) CONDITION OF CONVEYANCE.—The conveyance authorized by subsection (a) shall be subject to the condition that the City—

(1) use the parcels, directly or through an agreement with a public or private entity, for economic purposes or such other public purposes as the City determines appropriate; or

(2) convey the parcels to an appropriate public or private entity for use for such purposes.

(e) REVERSION.—If, during the 5-year period beginning on the date the Secretary makes the conveyance authorized by subsection (a), the Secretary determines that the conveyed real property is not being used for a purpose specified in subsection (d), all right, title, and interest in and to the property, including any improvements thereon, shall revert to the United States, and the United States shall have the right of immediate entry onto the property.

(f) INTERIM LEASE.—(1) Until such time as the real property described in subsection (a) is conveyed by deed under this section, the Secretary may continue to lease the property, together with improvements thereon, to the current tenant under the existing terms and conditions of the lease for the property.

(2) If good faith negotiations for the conveyance of the property continue under this section beyond the end of the third year of the term of the existing lease for the property, the Secretary shall continue to lease the property to the current tenant of the property under the terms and conditions applicable to the first three years of the lease of the property pursuant to the existing lease for the property.

(g) MAINTENANCE OF PROPERTY.—(1) Subject to paragraph (2), the Secretary shall be responsible for maintaining the real property to be conveyed under this section in its condition as of the date of the enactment of this Act until such time as the property is conveyed by deed under this section.

(2) The current tenant of the property shall be responsible for any maintenance required under paragraph (1) to the extent of the activities of that tenant at the property during the period covered by that paragraph.

(h) ENVIRONMENTAL REMEDIATION.—Notwithstanding any other provision of law, the City shall not be responsible for any environmental restoration or remediation that is required with respect to the real property to be conveyed under subsection (a) as a result of activities of parties other than the City at the property before its conveyance under this section.

(i) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the City.

(j) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.●

By Mr. CLELAND (for himself and Mr. COVERDELL):

S. 695. A bill to direct the Secretary of Veterans Affairs to establish a national cemetery for Veterans in the Atlanta, Georgia, metropolitan area; to the Committee on Veterans' Affairs.

LEGISLATION TO ESTABLISH A NATIONAL CEMETERY FOR VETERANS IN ATLANTA, GEORGIA

● Mr. CLELAND. Mr. President, today I am pleased to offer an important piece of legislation designed to address a critical need of Georgia's veterans and their families.

One of the greatest honors our country provides for a veteran's service is the opportunity to be buried in a national cemetery. It is logical that a veteran's family would want to have the grave site of their loved one close by. They want to be able to place flowers or a folded American flag by the headstone of their father, mother, sister or brother. Georgia veterans' families deserve such consideration. The establishment of a new veterans national cemetery in the Atlanta metropolitan area is one of my highest legislative priorities.

The current veterans population in Georgia is estimated to be nearly 700,000, with over 400,000 residing in the Metro Atlanta area. One state currently has two cemeteries designated specifically for veterans, in Marietta and Andersonville. Marietta National Cemetery has been full since 1970, and Andersonville National Historic Cemetery is located in southwest Georgia, at a considerable distance from most of the states veterans population.

The large population of veterans' families in Metro Atlanta and North Georgia is not being served, and we need to change that. Abraham Lincoln once said: 'All that a man hath will he give for his life; and while all contribute of their substance the soldier puts his life at stake, and often yields it up in his country's cause. The highest merit, then, is due to the soldier.'

We owe it to our veterans to provide a national veterans cemetery close to their home.

I have been pursuing this matter for over 20 years, since I was head of the Veterans' Administration, now called the Department of Veterans' Affairs. Nationally, there are over 300,000 vacancies in national cemeteries for veterans, but in Georgia, there are no such vacancies. The only option these veterans have in Andersonville, a national historic cemetery which is operated by the National Parks Service, not the VA, and is more than 100 miles away from the Metro Atlanta area. This deeply concerns me, especially when one considers that Georgia has the highest rate of growth in terms of military retirees in the Nation, and that the majority of these veterans reside in Metro Atlanta. We really must do better for our veterans.

In 1979, when I was head of the VA, our studies documented that the Atlanta metropolitan are was the area having the largest veterans population in the country without a national cemetery. Later that same year, I announced that Metro Atlanta had been chosen as the site for a new VA cemetery, which was to be opened in late 1983. The Atlanta location was chosen after an exhaustive review of many

sites, including consideration of environmental, access, and land use factors, and most importantly, the density of veterans population. Unfortunately, the Reagan Administration later withdrew approved of the Atlanta site. Over the years since then, Atlanta has repeatedly been one of the top areas in the United States most in need of an additional national cemetery.

Mr. President, the bill I am introducing today is simple. It requires the Department of Veterans Affairs to establish a national cemetery in the Atlanta metropolitan area. It also requires the VA to consult with appropriate federal, state, and local officials to determine the most suitable site.

I believe this bill is a necessary first step toward the eventual establishment of a national cemetery to meet the needs of Atlanta's veterans and their families. Admittedly, several factors must be resolved before the cemetery can be established. A site must be found and funding must be made available. However, we must move swiftly to resolve this problem so that a critical element of our commitment to the Nation's veterans can be met.

I am hopeful that the Senate will take favorable action on my bill during this Congress. I want to thank my colleague from Georgia, Senator COVERDELL, for joining me in this important effort, and Representative BARR for sponsoring the companion bill in the House of Representatives.

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

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

S. 695

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

SECTION 1. ESTABLISHMENT.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall establish, in accordance with chapter 24 of title 38, United States Code, a national cemetery in the Atlanta, Georgia, metropolitan area to serve the needs of veterans and their families.

(b) CONSULTATION IN SELECTION OF SITE.—Before selecting the site for the national cemetery established under subsection (a), the Secretary shall consult with—

(1) appropriate officials of the State of Georgia and local officials of the Atlanta, Georgia, metropolitan area; and

(2) appropriate officials of the United States, including the Administrator of General Services, with respect to land belonging to the United States in that area that would be suitable to establish the national cemetery under subsection (a).

(c) REPORT.—As soon as practicable after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the establishment of the national cemetery under subsection (a). The report shall set forth a schedule for such establishment and an estimate of the costs associated with such establishment.●

Mr. COVERDELL. Mr. President, today I am proud to join my esteemed colleague from Georgia, Senator CLELAND, to introduce once again a very important piece of legislation authorizing a new National Cemetery in the Atlanta, Georgia, metropolitan area. For many years Georgia has had a pressing need for a new national cemetery for veterans. With the leadership of my friend from Georgia who, I might add, has been working to make this a reality for about twenty years, we hope to pass this bill this year for our nation's veterans.

Mr. President, Georgia has one of the fastest growing veterans populations in the country. Currently, about 700,000 veterans call Georgia home with well over half, about 440,000, living in the Metro-Atlanta region; the area where this new cemetery would be built. However, the only national cemetery in the area has been full since 1970. Furthermore, the only other veterans cemetery in the state is operated by the National Parks Service, not the Department of Veterans' Affairs, and is in Andersonville, a town in southwest Georgia far from the concentration of Georgia veterans.

Mr. President, I believe we clearly demonstrate the need for a new national cemetery in Georgia. VA studies have concurred the need for this cemetery and, in fact, Atlanta was chosen as a site for a new cemetery in 1983. It is now time to build this needed tribute.

Burial in a national cemetery is a deserving honor for our nation's veterans, but it is becoming increasingly difficult to bestow upon them, especially in Georgia. This bipartisan legislation seeks to remedy this situation. Mr. President, by focusing on areas across the country with pressing needs for more burial slots, Congress can increase access to the honor of burial in a national cemetery. Georgia is such an area. By passing this measure, Congress would help veterans, and their families, find a burial place befitting their patriotic service to this great land.

By Mr. WELLSTONE:

S. 696. A bill to require the Secretary of Health and Human Services to submit to Congress a plan to include as a benefit under the medicare program coverage of outpatient prescription drugs, and to provide for the funding of such benefit; to the Committee on Finance.

MEDICARE PRESCRIPTION DRUG COVERAGE ACT OF 1999

Mr. WELLSTONE. Mr. President, I rise to introduce the Medicare Prescription Drug Coverage Act of 1999, a bill that calls for a full prescription drug benefit for all of America's senior citizens within the Medicare program.

This bill is the Senate companion to H.R. 886, which was introduced by Congressman BARNEY FRANK of Massachusetts earlier this month and which already has 22 House cosponsors.

One of the beauties of the Medicare Prescription Drug Coverage Act of 1999 is its simplicity. The Act does four things. First, it directs the Secretary of Health and Human Services to study the establishment of an outpatient prescription drug benefit under Medicare that provides for full coverage of outpatient prescription drugs. Second, the Secretary will determine the sufficiency of the estate tax to fund the costs of that outpatient drug benefit. Third, the Secretary must submit a report to Congress within six months that includes a legislative proposal to provide for full coverage of outpatient prescription drugs. Finally, the bill transfers Federal estate tax revenues to the Medicare Hospital Insurance Trust Fund where those monies will be placed in a separate Outpatient Prescription Drug Account to pay for this coverage.

Mr. President, now more than ever, a Medicare prescription drug benefit is needed. When Medicare was first adopted the program was designed to reflect typical private health insurance which often did not include outpatient prescription drugs. Then and since, the pharmaceutical industry has opposed a prescription drug benefit in order to protect its profits without regard to America's senior citizens. Even today, the industry is unwilling to shed some of its profits to allow all senior citizens access to needed prescription drugs. But the time has come for Congress to say ''no'' to the undue influence of drug companies in Washington and ''yes'' to Medicare prescription drug coverage.

Why has the need for the Medicare Prescription Drug Coverage Act of 1999 because so acute? The reasons are well known. First, the cost of prescription drugs has skyrocketed in recent years. Last year alone, prices increased an estimated 17%. This increase in drug costs hits seniors disproportionately.

A 1998 study by the minority staff of the House Government Reform Committee found that older Americans without prescription drug insurance pay on average twice as much as the discounted prices drug companies offer large scale purchasers like HMOs, pharmaceutical benefit managers and government agencies. Even more astounding are comparisons that show the price of some drugs are up to 15 times higher for seniors. Recalcitrance on the part of the pharmaceutical industry and the Congress has not only forced seniors to the pay for drugs out of their own pockets, but the price seniors pay is a national disgrace.

The burden on seniors is hard for them to avoid. More than ¾ of Americans aged 65 and over are taking prescription drugs. The average senior citizen takes more than four prescription drugs daily and fills an average of 18 prescriptions a year. Older Americans take significantly more drugs on average than the under-65 population. One-third of all drugs are prescribed for senior citizens even though seniors account for only 12% of the population.

Not only do older Americans spend almost three times as much of their income (21%) on health care as do those under the age of 65 (8%), but prescription drugs are the largest single source

of out-of-pocket expenses for health services paid for by the elderly—more than doctor visits or hospital admissions. The primary reason for this is that Medicare does not cover outpatient prescription drugs.

It is totally unacceptable that 37% of seniors, nationally, have no prescription drug coverage and another 15–20% have totally inadequate coverage. In my state of Minnesota, where Medicare HMO drug coverage without additional cost is virtually nonexistent, close to 65% of seniors have no outpatient drug coverage at all.

The result of this drug pricing inequity and excessive cost burden frequently leads seniors to discontinue their medications against medical advice, to lower the dose they take to make their prescriptions last longer, or to take their medicines as prescribed but then skimp on food and other necessities. Whichever path is taken results in a decrease in health and an increased likelihood of an expensive hospital intervention. That is why we need the Medicare Prescription Drug Coverage Act of 1999. Not to provide this benefit is being penny-wise and pound foolish.

Minnesota seniors and others who live in states adjacent to Canada and Mexico often travel hundreds of miles and cross international borders to obtain drugs at prices only available in this country when negotiated by volume purchasers. Mildred Miller, a 78 year old constituent of mine from Minneapolis, found it necessary to travel to Canada and to send a friend to Mexico in order to afford the Tamoxifen her doctor in Minnesota had prescribed. And she is not alone.

For some seniors the high price of outpatient prescription drugs has not yet been a burden. They are the lucky ones who are members of Medicare HMOs in counties where the Medicare reimbursement rate to HMOs has been high enough to allow a prescription drug benefit, or are fortunate to be wealthy and healthy enough to be able to purchase one of the three Medigap policies that include a prescription drug benefit, or have drug coverage under health insurance benefits provided by former employers.

But for those for whom the high price of drugs has not yet been a burden, the future isn't particularly bright. Medicare HMO reimbursement rates are being reduced and many HMOs have cut back or completely cut out their drug benefit. Medigap policies that cover prescription drugs are expensive, have high $250 deductibles, 50% copays, and caps on benefits of $1250 or $300 per year. Health care benefits offered by former employers are becoming less and less common and less generous.

The good alternatives today are out of reach of most senior citizens. For example, in Minnesota, a Medicare-Choice prescription drug coverage option with 20% copay, no deductible, and no cap costs $130 per month. It is no wonder that from Maine to Minnesota to the state of Washington and down to Texas, America's senior citizens are forced to leave the country so they can afford to take the medicines they need. What they find are essentially the same prescription drugs at half of price. With the Medicare Prescription Drug Coverage Act of 1999, they won't have to flee their own country.

What is needed is a comprehensive prescription drug benefit that includes outpatient drugs—the same sort of prescription drug benefit available to members of Congress—with no cap, reasonable deductibles and reasonable copays. That is what this legislation calls for.

An important aspect of the Medicare Prescription Drug Coverage Act of 1999 is that it calls for a full prescription drug benefit—not one capped at a certain limit. Medicare today doesn't limit the number of necessary doctor visits or the number of needed operations—and it shouldn't. Prescription drugs now are as critical as those doctor visits or operations and it is unconscionable for necessary drugs not to be covered just as fully. If we limit the maximum benefit, we penalize the sickest and most frail elderly who have the greatest need and require the greatest number of prescription medications.

I expect that other Medicare prescription drug bills will be offered in this Congress, but I fear they will not provide the full protection seniors really need. If you have a major life threatening illness or multiple chronic diseases (something that is hard to predict before it happens), your monthly drug bill will quickly exceed the oft cited figure of a $1500 annual maximum. With such coverage, the sickest and most needy seniors will quickly find themselves out of the benefit. As I travel about the state of Minnesota, I frequently hear stories of elderly citizens saddled with prescription drug costs in excess of $300 per month who are trying to make ends meet on a monthly income of $1,000. That is why full drug coverage is so important.

What is also important to know is that the cost of providing a full prescription drug benefit is affordable and not that much more than the cost of a limited benefit. In 1998, the Lewin Group estimated that a Medicare prescription drug benefit in 1999 with a $250 deductible, a 20% copay and a $1500 annual cap would cost $13 billion. The same plan with no annual cap, providing full protection, would cost $17 billion. Revenues from the estate tax, which will fund the benefit, are estimated to be in the $19 billion to $23 billion range. That is more than enough to provide full coverage the full benefit.

Finally, Mr. President, let me say a few words about why using the estate tax to pay for a Medicare prescription drug benefit makes a lot of sense. Many members of Congress have argued that the estate tax is no longer needed for general revenue. If so, there is a great deal of logic in using it for a prescription drug benefit under Medicare. The estate tax today applies only to individual estates that are worth more than $650,000 and to estates of married couples worth more than $1 million. Over the next seven years the amount exempt from the estate tax will rise to $1 million for individuals and $2 million for couples. Well over 90% of the estate tax comes from wealthy individuals who were 65 or older at the time of their death. Most of these people were receiving medical care and benefiting from Medicare coverage. Thus, this bill recycles back into the Medicare program—for badly needed prescription drug coverage for all—money from people who benefited from their Medicare entitlement but were not in financial need of it. That only makes sense. For it is more important to preserve and expand the Medicare program than it is to provide tax cuts for the richest Americans.

Mr. President, it is unconscionable that America's senior citizens have such difficulty obtaining the fruits of the scientific advances made by America's pharmaceutical industry. Every day we delay, millions of senior citizens struggle to determine how they will be able to afford their next prescription refill. The time to end that struggle is now. That is why I am introducing the Medicare Prescription Drug Coverage Act of 1999 today.

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

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

S. 696

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 ''Medicare Prescription Drug Coverage Act of 1999''.

SEC. 2. STUDY AND LEGISLATIVE PROPOSAL TO CONGRESS.

(a) STUDY.—The Secretary of Health and Human Services shall conduct a study with respect to the establishment of an outpatient prescription drug benefit under the medicare program that provides for full coverage of outpatient prescription drugs for medicare beneficiaries.

(b) ADDITIONAL MATTERS STUDIED.—In conducting the study under subsection (a), the Secretary of Health and Human Services shall include a determination of whether Federal estate tax revenues, transferred to the Federal Hospital Insurance Trust Fund by reason of the amendments made by section 3 of this Act, are sufficient, in excess of the amount required, or insufficient to defray the costs of such outpatient prescription drug benefit.

(c) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to Congress a report containing a detailed description of the results of the study conducted pursuant to this section, and include in such report a legislative proposal to provide for such outpatient prescription drug benefit.

SEC. 3. TRANSFER OF FEDERAL ESTATE TAX REVENUES TO MEDICARE PROGRAM TO OFFSET COSTS OF PRESCRIPTION DRUG BENEFIT.

(a) TRANSFER TO FEDERAL HOSPITAL INSURANCE TRUST FUND.—Section 1817(a) of the Social Security Act (42 U.S.C. 1395i(a)) is amended—

(1) by striking ''and'' at the end of paragraph (1),

(2) by striking the period at the end of paragraph (2) and inserting ''; and'', and

(3) by inserting after paragraph (2) the following new paragraph:

''(3) the taxes imposed by chapter 11 of the Internal Revenue Code of 1986 with respect to estates of citizens or residents reported to the Secretary of the Treasury or his delegate on tax returns under subtitle F of such Code, as determined by the Secretary of the Treasury by applying the applicable rate of tax under such chapter to such estate.''.

(b) ESTABLISHMENT OF SEPARATE ACCOUNT FOR OUTPATIENT PRESCRIPTION DRUG BENEFIT.—Section 1817 of such Act (42 U.S.C. 1395i) is amended by adding at the end the following new subsection:

''(l) OUTPATIENT PRESCRIPTION DRUG ACCOUNT.—

''(1) ESTABLISHMENT.—There is hereby established in the Trust Fund an expenditure account to be known as the 'Outpatient Prescription Drug Account'.

''(2) CREDITING OF FUNDS.—The Managing Trustee shall credit to the Outpatient Prescription Drug Account such amounts as may be deposited in the Trust Fund pursuant to subsection (a)(3).

''(3) USE OF FUNDS.—Funds credited to the Outpatient Prescription Drug Account may only be used to pay for outpatient prescription drugs furnished under this title.''.

(c) EFFECTIVE DATE.—The amendments made by this section apply to payments received by the Secretary of the Treasury on or after the date of the enactment of this Act for taxes imposed by chapter 11 of the Internal Revenue Code of 1986.

By Mrs. BOXER (for herself and Ms. SNOWE):

S. 697. A bill to ensure that a woman can designate an obstetrician or gynecologist as her primary care provider; to the Committee on Health, Education, Labor, and Pensions.

THE WOMEN'S ACCESS TO CARE ACT

• Mrs. BOXER. Mr. President, last week, the Senate Health, Education, Labor and Pensions Committee marked up managed care reform legislation. Unfortunately, this markup was characterized by the partisan politics that have plagued this issue for over a year now.

I fear that this squabbling shows no signs of letting up, and I expect it to carry over onto the floor of the Senate. The result may be no action at all. And that, Mr. President, would be a tragedy. There are many individuals who need to be protected from some of the outrageous practices of managed care networks, and as long as we argue, they are not being helped.

It is time to move beyond the squabbling and get something done. Do not get me wrong. I strongly support and am a cosponsor of the Patients' Bill of Rights Act, introduced by Senator DASHCLE. I have no intention of renouncing my support for this excellent bill. Many of its provisions are based on a bill I introduced in 1997.

But, I do believe that we need to start reaching across the aisle to find common ground in those areas where this is agreement. So, today, I am introducing, along with Senator SNOWE, the Women's Access to Care Act—to guarantee that women in managed care plans can designate their ob/gyn as their primary care physician.

Let me tell you, Mr. President, why this bill is so important, and I will start with this basic fact: Many women consider their ob/gyn their principal doctor. According to a 1993 Gallup Poll, 72 percent of women had a regular physical examination in the previous two years from an ob/gyn. And, three-fourths of all women object to restricted access to their ob/gyn.

But, managed care companies are not paying attention.

Sometimes, a managed care company requires a woman to get a referral in order to see her ob/gyn. Or, a managed care plan allows a woman to see an ob/gyn without a referral only under limited circumstances—such as for only a few visits each year or for only certain medical conditions. Or, a managed care network does not allow a woman's ob/gyn to refer her to a specialist.

All of these hurdles placed between a woman and her doctor mean that a woman has to get a referral from another doctor just to see her doctor, and that she must, for all practical purposes, have two doctors.

Let me give you an example that will illustrate how absurd this is.

A 39-year-old woman—who considers her ob/gyn as her doctor—is in the office for a routine check-up. The ob/gyn discovers a lump in the woman's breast and tells her that she needs to get a mammogram. But, because the woman is under the age for automatic coverage of mammograms, she can only get one if her doctor says it is medically necessary. But, the managed care plan does not consider the ob/gyn as the woman's doctor—even though she does. So, this woman has to go find a primary care doctor just to get that doctor to okay a mammogram. And, the ob/gyn certainly cannot refer her to a specialist about the lump in her breast.

That, Mr. President, is silly. It makes no sense. And, it is not even good health policy. According to the Commonwealth Fund, a woman whose ob/gyn is her regular doctor is more likely to have had a complete physical exam, a blood pressure reading, a cholesterol test, a clinical breast exam, a mammogram, a pelvic examination, and a Pap smear.

In other words, a woman is more likely to receive the health care she needs when she can see her ob/gyn. Why? Because many woman consider their ob/gyn their principal doctor.

The bill that Senator SNOWE and I are introducing today recognizes this fact. The Women's Access to Care Act would provide a woman in a managed care plan with three options.

First, she could designate an ob/gyn as her primary care physician. She would have the same right of access to—and the doctor would have the same right of referral as—any other primary care physician.

Second, she could continue the practice common today. That is, she could designate a general practitioner as her primary care physician. But, if she does, she must be allowed to see an ob/gyn without a referral for all routine gynecological care and pregnancy related services. And, the ob/gyn could refer the woman to a specialist for any other needed gynecological care.

Third, we would say that a woman could designate both an ob/gyn and a general practitioner as her primary care provider. Sometimes a woman considers her ob/gyn as her doctor but does not want to close off access to a general practitioner for other health care needs.

Finally, Mr. President, let me briefly address what is known as direct access to an ob/gyn. Allowing a woman to go directly to her ob/gyn without a referral would be an important step forward. But, keep in mind that it is not the full story. Even if the direct access were unlimited and unfettered, it would not allow an ob/gyn to refer a woman to the specialist she needs. To do that requires allowing an ob/gyn to be designated as a primary care physician.

Mr. President, I believe the Women's Access to Care Act is a common sense approach that recognizes the reality of the way many women receive—and want to receive—their health care. It is also an opportunity to break through the partisan logjam on managed care and enact something meaningful to help the women of America.

I urge my colleagues to join me and Senator SNOWE in this bipartisan effort.

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

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

S. 697

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 ''Women's Access to Care Act''.

SEC. 2. 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 (29 U.S.C. 1185 et seq.), as amended by the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277), is amended by adding at the end the following:

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

''(a) IN GENERAL.—If a group health plan, or a health insurance issuer in connection with the provision of health insurance coverage, requires or provides for a participant

or beneficiary to designate a participating primary care provider—

''(1) the plan or issuer shall permit such an individual who is a female to designate a participating physician who specializes in obstetrics and gynecology as the individual's primary care provider in lieu of or in addition to the designation by such individual of a provider who does not specialize in obstetrics and gynecology as the primary care provider; and

''(2) if such an individual has not designated a physician who specializes in obstetrics or gynecology as a primary care provider, the plan or issuer—

''(A) may not require authorization or a referral by the individual's primary care provider or otherwise for coverage of routine gynecological care (such as preventive women's health examinations) and pregnancy-related services provided by a participating health care professional who specializes in obstetrics and gynecology to the extent such care is otherwise covered, and

''(B) may treat the ordering of other gynecological care by such a participating health professional as the authorization of the primary care provider with respect to such care under the plan or coverage.

''(b) CONSTRUCTION.—Nothing in subsection (a)(2)(B) shall waive any requirements of coverage relating to medical necessity or appropriateness with respect to coverage of gynecological care so ordered.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001 note), as amended by the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277), is amended by inserting after the item relating to section 713 the following new item:

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

SEC. 3. AMENDMENTS TO THE PUBLIC HEALTH SERVICE ACT.

(a) GROUP MARKET.—Subpart 2 of part A of title XXVII of the Public Health Service Act (42 U.S.C. 300gg-4 et seq.), as amended by the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277), is amended by adding at the end the following new section:

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

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

''(1) the plan or issuer shall permit such an individual who is a female to designate a participating physician who specializes in obstetrics and gynecology as the individual's primary care provider in lieu of or in addition to the designation by such individual of a provider who does not specialize in obstetrics and gynecology as the primary care provider; and

''(2) if such an individual has not designated a physician who specializes in obstetrics or gynecology as a primary care provider, the plan or issuer—

''(A) may not require authorization or a referral by the individual's primary care provider or otherwise for coverage of routine gynecological care (such as preventive women's health examinations) and pregnancy-related services provided by a participating health care professional who specializes in obstetrics and gynecology to the extent such care is otherwise covered, and

''(B) may treat the ordering of other gynecological care by such a participating health professional as the authorization of the primary care provider with respect to such care under the plan or coverage.

''(b) CONSTRUCTION.—Nothing in subsection (a)(2)(B) shall waive any requirements of coverage relating to medical necessity or appropriateness with respect to coverage of gynecological care so ordered.''.

(b) INDIVIDUAL MARKET.—The first subpart 3 of part B of title XXVII of the Public Health Service Act (42 U.S.C. 300gg–51 et seq.) (relating to other requirements), as amended by the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277) is amended—

(1) by redesignating such subpart as subpart 2; and

(2) by adding at the end the following:

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

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

SEC. 4. AMENDMENTS TO THE INTERNAL REVENUE CODE OF 1986.

Subchapter B of chapter 100 of the Internal Revenue Code of 1986 is amended—

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

''Sec. 9813. Access to obstetrical and gynecological care.''; and

(2) by inserting after section 9812 the following:

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

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

''(1) the plan or issuer shall permit such an individual who is a female to designate a participating physician who specializes in obstetrics and gynecology as the individual's primary care provider in lieu of or in addition to the designation by such individual of a provider who does not specialize in obstetrics and gynecology as the primary care provider; and

''(2) if such an individual has not designated a physician who specializes in obstetrics or gynecology as a primary care provider, the plan or issuer—

''(A) may not require authorization or a referral by the individual's primary care provider or otherwise for coverage of routine gynecological care (such as preventive women's health examinations) and pregnancy-related services provided by a participating health care professional who specializes in obstetrics and gynecology to the extent such care is otherwise covered, and

''(B) may treat the ordering of other gynecological care by such a participating health professional as the authorization of the primary care provider with respect to such care under the plan or coverage.

''(b) CONSTRUCTION.—Nothing in subsection (a)(2)(B) shall waive any requirements of coverage relating to medical necessity or appropriateness with respect to coverage of gynecological care so ordered.''.

SEC. 5. EFFECTIVE DATES.

(a) IN GENERAL.—Except as provided in subsection (c), the amendments made by this Act shall apply with respect to plan years beginning on or after the date of enactment of this Act.

(b) SPECIAL RULE FOR COLLECTIVE BARGAINING AGREEMENTS.—In the case of a group health plan maintained pursuant to 1 or more collective bargaining agreements between employee representatives and 1 or more employers ratified before the date of enactment of this Act, the amendments made by this Act shall not apply to plan years beginning before the later of—

(1) the date on which the last collective bargaining agreements relating to the plan terminates (determined without regard to any extension thereof agreed to after the date of enactment of this Act), or

(2) January 1, 2000.

For purposes of paragraph (1), any plan amendment made pursuant to a collective bargaining agreement relating to the plan which amends the plan solely to conform to any requirement added by this Act shall not be treated as a termination of such collective bargaining agreement.

(c) INDIVIDUAL MARKET.—The amendment made by section 3(b) shall apply to health insurance coverage offered, sold, issued, renewed, in effect, or operated in the individual market on or after the date of enactment of this Act.

SEC. 6. RULE OF CONSTRUCTION.

Nothing in this Act shall be construed to require a participating physician to accept designation as a primary care provider.●

By Mr. MURKOWSKI:

S. 698. A bill to review the suitability and feasibility of recovering costs of high altitude rescues at Denali National Park and Preserve in the state of Alaska, and for other purposes; to the Committee on Energy and Natural Resources.

HIGH ALTITUDE RESCUES AT DENALI NATIONAL PARK AND PRESERVE IN THE STATE OF ALASKA

● Mr. MURKOWSKI. Mr. President, today I am introducing legislation that would require the Secretary of the Interior to report to Congress on the feasibility and desirability of recovering the cost to taxpayers of rescuing high altitude climbers on Mt. McKinley in Denali National Park and Preserve in the State of Alaska.

Mr. President, Denali National Park and Preserve attracts approximately 355,000 visitors per year who come to see the wildlife, the grandeur of our State, and to gaze at America's highest peak. Most are unaware that while they are taking in the breathtaking vista that is Mt. McKinley, there are approximately another 1,100 persons per year that are attempting to attain the 20,320 summit.

Climbing Mt. McKinley is certainly no easy walk in the Park. A typical year sees a dozen major rescue incidents and one or two fatal accidents. Extreme and unpredictable weather on Mt. McKinley make high altitude rescues very dangerous and very expensive.

Over the last few years the National Park Service has actively and successfully worked to reduce the loss of life and injury to climbers who have attempted to climb this mountain. The NPS spends more than $750,000 per year for education; pre-positioning supplies and materials at various altitudes on the mountain; the positioning of a special high altitude helicopter in the Park; and actual rescue attempts.

Just last year the military and the Park Service spent four days and $221,818 rescuing 6 sick and injured

British climbers who disregarded warnings and advice from park rangers stationed on the mountain. This rescue included what is probably the world's highest short haul helicopter rescue at 19,000 feet and entailed a very high level of risk for the rescue team. This is just one example of many rescues the Park Service conducts each year on Mt. McKinley.

Mr. President, I personally do not feel that the American taxpayer should be left with the bill for rescues on this mountain. The Federal Government does not force these climbers to climb; they engage in this activity voluntarily and with full knowledge of the risks. While I admire the courage and tenacity of mountain climbers, I do not think it is fair to divert scarce park funds from services that benefit the majority of park visitors for the purpose of providing extraordinarily expensive services to a small number of users who put themselves in harm's way with their eyes wide open. Mountain climbers are a special breed who are proud of their self-sufficiency and independence— and rightly so. For that reason I think they should recognize the simple equity of paying their fair share of the public costs of their sport.

As a result of a recent field hearing on this issue, I found that while I have received many letters of support, there are a few stalwart individuals who do not agree with my point of view and have raised some legitimate questions. That is why I want the Secretary of the Interior to look at the feasibility and desirability of some sort of a cost recovery system that puts a minimal burden on climbers, whether it be an insurance requirement, bonding, or any other proposal. The pros and cons of these cost recovery mechanisms need to be carefully explored before we act.

Last but not least, Mr. President, I want the Secretary to evaluate requiring climbers to show proof of medical insurance so that hospitals in Alaska and elsewhere are not left holding the bag as they sometimes are under present circumstances. It is a good neighbor policy that should be put into effect at the earliest opportunity.●

By Mr. WYDEN (for himself and Mr. BREAUX):

S. 699. A bill to protect the public, especially senior citizens, against telemarketing fraud, including fraud over the Internet, and to authorize an educational campaign to improve senior citizens' ability to protect themselves against telemarketing fraud; to the Committee on the Judiciary.

THE TELEMARKETING FRAUD AND SENIORS PROTECTION ACT

Mr. WYDEN. Mr. President, online consumer purchases are exploding, having topped more than $8 billion last year. But the goldrush in cyberbuying is likely to carry along with it a boom in cyberfraud. As with telemarketing fraud, fraudulent schemes over the Internet are increasingly aimed at seniors—some of our most vulnerable citizens. Congress can help head-off this cybercrime by extending our current telemarketing laws to encompass fraud on the Net. That is the purpose of the legislation I am introducing today.

In response to the staggering $40 billion consumers lose in telephone fraud each year, Congress passed the 1998 Telemarketing Fraud Prevention Act. I strongly supported that effort. The new law builds upon the four federal laws enacted since the early 1990s that deal directly with telemarketing fraud. The 1998 law stiffens penalties for telemarketing fraud by toughening the sentencing guidelines—especially for crimes against the elderly, requires criminal forfeiture to ensure the booty of telemarketing crime is not used to commit further fraud, mandates victim restitution to ensure victims are the first ones compensated, adds conspiracy language to the list of telemarketing fraud penalties so that prosecutors can find the masterminds behind the boiler rooms, and will help law enforcement zero in on quick-strike fraud operations by giving them the authority to move more quickly against suspected fraud.

The 1998 law is a good step forward but it's not enough to deal with today's digital economy. As more Americans—and especially seniors—go online, cyberscams are proliferating. The Congressional crackdown on telemarketing fraud will only encourage cyberscammers to migrate to the Net unless the law gets there first. That is the purpose of the legislation I am pleased to introduce today with Senator BAUCUS.

The Telemarketing Fraud and Seniors Protection Act, which I introduced last year as S. 2587, simply extends current law against telemarketing fraud to include the same crimes committed over the Internet. The approach expands the existing law applicable to mail, telephone, wire, and television fraud to fraud over the Internet, and its enforcement would follow the same division of labor there is today between the Federal Trade Commission (FTC) and the Department of Justice. The bill would apply the same tough penalties that Congress enacted in 1998 to cyberscams. The growth of Internet telephony makes it more attractive for cyberscammers to set up shop offshore, beyond the reach of U.S. law. My bill would address this problem by allowing law enforcement to freeze the assets and deny entry to the United States of those convicted of cyberfraud.

The bill takes special aim against those attempt to defraud one of our most vulnerable groups—our senior citizens. Seniors are the target for more than 50 percent of telemarketing fraud. Although telemarketers convicted of fraud face stiff penalties—a minimum of 5–10 years in jail and restitution payments to their victims, we also need to better educate and inform senior citizens on how to avoid becoming victims of telemarketing fraud in the first place, and how to assist law enforcement in catching the perpetrators.

The legislation would also authorize the Administration on Aging, through its network of area agencies of aging, to conduct an outreach program to senior citizens on telemarketing fraud. Seniors would be advised against providing their credit card number, bank account or other personal information unless they had initiated the call unsolicited. They would also be informed of their consumer protection rights and any toll-free numbers and other resources to report suspected illegal telemarketing.

Mr. President, the Federal Trade Commission is off to a good start against cyberscammers. Some of the operations the FTC has targeted are not companies at all, but merely websites that promise consumers everything from huge new consulting contracts to the elimination of bad credit reports. They may use scare tactics to frighten consumers into sending important personal financial information and hundreds of dollars for services the consumer will never see, or attempt to lure consumers with the promise of helping them cash in on the Internet explosion. The FTC also has a strong operation going against junk e-mailers. My legislation will complement and strengthen the FTC's effort to target telemarketing fraud over the Internet and especially when such fraud is aimed at seniors.

I am pleased to be joined in this effort by Senator BAUCUS. This legislation is similar to that which Rep. Weygand has introduced in the House of Representatives. I urge my colleagues in the Senate to cosponsor this important legislation, and ask unanimous consent that a copy of the legislation be printed in the RECORD.

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

S. 699

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

TITLE I—TELEMARKETING FRAUD AND SENIORS PROTECTION ACT

SEC. 101. SHORT TITLE.

This title may be cited as the ''Telemarketing Fraud and Seniors Protection Act''.

SEC. 102. FINDINGS.

Congress makes the following findings:

(1) Telemarketing fraud costs consumers nearly $40,000,000,000 each year.

(2) Senior citizens are often the target of telemarketing fraud.

(3) Fraudulent telemarketers compile into so-called ''mooch lists'' the names of consumers who are potentially vulnerable to telemarketing fraud.

(4) According to the American Association of Retired Persons, 56 percent of the names on such ''mooch lists'' are individuals age 50 or older.

(5) The Department of Justice has undertaken successful investigations and prosecutions of telemarketing fraud through various

operations, including ''Operation Disconnect'', ''Operation Senior Sentinel'', and ''Operation Upload''.

(6) The Federal Bureau of Investigation has helped provide resources to assist organizations such as the American Association of Retired Persons to operate outreach programs designed to warn senior citizens whose names appear on confiscated ''mooch lists''.

(7) The Administration on Aging was formed, in part, to provide senior citizens with the resources, information, and assistance their special circumstances require.

(8) The Administration on Aging has a system in place to inform senior citizens of the dangers of telemarketing fraud.

(9) Senior citizens need to be warned of the dangers of telemarketing fraud before they become victims of such fraud.

SEC. 103. PURPOSE.

It is the purpose of this title to protect senior citizens, through education and outreach, from the dangers of telemarketing fraud and fraud over the Internet and to facilitate the investigation and prosecution of fraudulent telemarketers.

SEC. 104. DISSEMINATION OF INFORMATION.

(a) IN GENERAL.—The Secretary of Health and Human Services, acting through the Assistant Secretary of Health and Human Services for Aging, shall publicly disseminate in each State information designed to educate senior citizens and raise awareness about the dangers of telemarketing fraud and fraud over the Internet.

(b) INFORMATION.—In carrying out subsection (a), the Secretary shall—

(1) inform senior citizens of the prevalence of telemarketing fraud targeted against them;

(2) inform senior citizens how telemarketing fraud works;

(3) inform senior citizens how to identify telemarketing fraud;

(4) inform senior citizens how to protect themselves against telemarketing fraud, including an explanation of the dangers of providing bank account, credit card, or other financial or personal information over the telephone to unsolicited callers;

(5) inform senior citizens how to report suspected attempts at telemarketing fraud;

(6) inform senior citizens of their consumer protection rights under Federal law; and

(7) provide such other information as the Secretary considers necessary to protect senior citizens against fraudulent telemarketing.

(c) MEANS OF DISSEMINATION.—The Secretary shall determine the means to disseminate information under this section. In making such determination, the Secretary shall consider—

(1) public service announcements;

(2) a printed manual or pamphlet;

(3) an Internet website; and

(4) telephone outreach to individuals whose names appear on so-called ''mooch lists'' confiscated from fraudulent telemarketers.

(d) PRIORITY.—In disseminating information under this section, the Secretary shall give priority to areas with high concentrations of senior citizens.

SEC. 105. AUTHORITY TO ACCEPT GIFTS.

The Secretary of Health and Human Services may accept, use, and dispose of unconditional gifts, bequests, or devises of services or property, both real and personal, in order to carry out this title.

SEC. 106. DEFINITION.

For purposes of this title, the term ''State'' includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, and the Commonwealth of the Northern Mariana Islands.

TITLE II—TELEMARKETING FRAUD OVER THE INTERNET

SEC. 201. EXTENSION OF CRIMINAL FRAUD STATUTE TO INTERNET.

(a) EXTENSION.—Section 1343 of title 18, United States Code, is amended by—

(1) by inserting ''(a)'' before ''Whoever'';

(2) in subsection (a), as so designated, by striking ''or television communication'' and inserting ''television, or Internet communication''; and

(3) by adding at the end thereof the following:

''(b) For purposes of this section, the term 'Internet' means collectively the myriad of computer and telecommunications facilities, including equipment and operating software, which comprise the interconnected world-wide network of networks that employ the Transmission Control Protocol/Internet Protocol, or any predecessor or successor protocols to such protocol, to communicate information of all kinds by wire or radio.''.

(b) CONFORMING AND CLERICAL AMENDMENTS.—(1) The section heading of such section is amended to read as follows:

''§ 1343. Fraud by wire, radio, television, or Internet''.

(2) The table of sections at the beginning of chapter 63 of that title is amended by striking the item relating to section 1343 and inserting the following new item:

''1343. Fraud by wire, radio, television, or Internet.''.

SEC. 202. FEDERAL TRADE COMMISSION SANCTIONS.

(a) RULEMAKING TO APPLY SANCTIONS.—The Federal Trade Commission shall initiate a rulemaking proceeding to set forth the application of section 5 of the Federal Trade Commission Act (15 U.S.C. 45), and other statutory provisions within its jurisdiction, to deceptive acts or practices in or affecting the commerce of the United States in connection with the promotion, advertisement, offering for sale, or sale of goods or services through use of the Internet, including the initiation, transmission, and receipt of unsolicited commercial electronic mail.

(b) INTERNET DEFINED.—In this section, the term ''Internet'' means collectively the myriad of computer and telecommunications facilities, including equipment and operating software, which comprise the interconnected world-wide network of networks that employ the Transmission Control Protocol/Internet Protocol, or any predecessor or successor protocols to such protocol, to communicate information of all kinds by wire or radio.

By Mr. AKAKA (for himself and Mr. INOUYE):

S. 700. A bill to amend the National Trails System Act to designate the Ala Kahakai Trail as a National Historic Trail; to the Committee on Energy and Natural Resources.

ALA KAHAKAI NATIONAL HISTORIC TRAIL ACT

Mr. AKAKA. Mr. President, along with my senior colleague from Hawaii, Senator DAN INOUYE, today I am introducing legislation to authorize designation of the Ala Kahakai (''Trail by the Sea''), on the Island of Hawaii, as a National Historic Trail.

The Ala Kahakai is the modern name for an approximately 175-mile portion of the ancient shoreline footpath, the Ala Loa (''Long Trail''), that once circumscribed the island of Hawaii. The Ala Loa served as the major land route connecting more than 600 communities of the island kingdom of Hawaii between the 15th and 18th centuries. It is associated with many prehistoric and historic housing areas, most of the royal centers and temples of the island, a number of major battles, and the facilitation of government functions such as tax collection.

Of more recent significance, a key section of the trail is associated with the series of events that unfolded between 1779 and 1820 that had lasting consequences for Hawaiian cultural evolution: Captain Cook's landing and subsequent death at Kealakekua Bay in 1779; Kamehameha's rise to power and consolidation of the Hawaiian Islands under monarchical rule; the death of Kamehameha I in 1819, followed by the overthrow of the ancient religious system, the kapu: and, finally, the arrival of the first Western missionaries in 1820.

Interest in preserving this important Hawaiian cultural legacy has been growing since the 1970s, when the State of Hawaii began developing Na Ala Hele (''Trails for Walking''), a proposal for cooperative management of the statewide trail system. I 1988, the concept evolved into the Hawaii Statewide Trail and Access System, whose mission is to develop trail access while conserving Hawaii's environmental and cultural heritage.

The Na Ala Hele planning process called for the development of a demonstration trail for each of Hawaii's major islands, including a 35-mile demonstration trail on the Big Island of Hawaii. In introduced legislation (P.L. 120–361) in 1992 proposing that NPS study whether an expanded, 175-mile version of the Big Island trail, the Ala Kahakai, should be incorporated into the National Trails System.

Pursuant to P.L. 120–461, the National Park Service undertook a study to evaluate the desirability and feasibility of establishing the Ala Kahakai as a national trail. In January 1998, after a long process of consultation with federal, state, local authorities and other interests, and after a period of public review, the study (''Ala Kahakai National Trail Study and Final Environmental Impact Statement'') was completed. In August 1998, the Secretary of the Interior, with the concurrence of the National Park System Advisory Board, endorsed the study's principle recommendation that the Ala Kahakai be designated a National Historic Trail.

According to the study, the trail meets all of the three criteria for historic trail designation. To wit: it must be a trail or route established by historic use and must be historically significant as result of that use; it must be of national significance with respect to any of several broad facets of American history, such as trade and commerce, exploration, migration and settlement, or military campaigns; and, it must have significant potential for public recreational use or historical interest based on historic interpretation and appreciation.

In addition, the study suggested that the trail not only qualifies for designation as a National Historic Trail, but that it has the potential to be designated a National Scenic Trail (although to do so would trivialize its historical and cultural significance) and may well be eligible for the National Register of Historic Places.

The study presented four alternatives for the management of the Ala Kahakai: (a) no action, (b) a national historic trail (continuous), (c) a state historic trail, and a national historic trail (discontinuous)—ultimately recommending alternative ''b'' as the best means to preserve and restore the trail and maximize public access to the entire route. The preferred alternative assumes recognition of a continuous route that, over time, could become continuous on the ground.

It is fairly clear that reestablishing the 175-mile route is physically possible. Although some parts of the trail have been covered by lava, eroded by tides, or otherwise sustained damage from natural and human processes, these sections can be bridged through recreational trail links. In some cases, the trail can be rebuilt using traditional construction methods.

About half (93 miles, or 53 percent) of the proposed trail is in local, state, or federal government ownership, and 82 miles cross private lands. Of the latter, 16 miles have been dedicated, through planning requirements, as public land. Of the remaining 66 miles of trail on private lands, as much as 35 miles are classified as ''ancient trail'' and thus claimable as state-owned under Hawaiian law. For the remaining sections of trail that are not ancient trail, or for which the state's claim has been forfeited in some way, landowner participation would be entirely voluntary.

Mr. President, I urge my colleagues to support this legislation, which is key to preserving and interpreting an important Hawaiian legacy that is threatened by time, neglect, and modern activity. The Ala Kahakai boasts more cultural and historical resources than any other trail in the National Trails System. Its designation as a national historic trail would help us preserve one of the most important and evocative legacies of Hawaii's indigenous history and culture. I hope that Congress will act quickly on this measure, to ensure that the trail can be developed as a resource for all Americans to enjoy.

Thank you, Mr. President. This measure is supported by State and local authorities as well as a wide spectrum of community organizations. I ask unanimous consent that the text of the bill, a letter of support from Hawaii Governor Ben Cayetano, as well as the Department of Interior's Record of Decision on this issue be printed in the RECORD.

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

S. 700

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 ''Ala Kahakai National Historic Trail Act''.

SEC. 2. FINDINGS.

Congress finds that—

(1) the Ala Kahakai (Trail by the Sea) is an important part of the ancient trail known as the ''Ala Loa'' (the long trail), which circumscribes the island of Hawaii;

(2) the Ala Loa was the major land route connecting 600 or more communities of the island kingdom of Hawaii from 1400 to 1700;

(3) the trail is associated with many prehistoric and historic housing areas of the island of Hawaii, nearly all the royal centers, and most of the major temples of the island;

(4) the use of the Ala Loa is also associated with many rulers of the kingdom of Hawaii, with battlefields and the movement of armies during their reigns, and with annual taxation;

(5) the use of the trail played a significant part in events that affected Hawaiian history and culture, including—

(A) Captain Cook's landing and subsequent death in 1779;

(B) Kamehameha I's rise to power and consolidation of the Hawaiian Islands under monarchical rule; and

(C) the death of Kamehameha in 1819, followed by the overthrow of the ancient religious system, the Kapu, and the arrival of the first western missionaries in 1820; and

(6) the trail—

(A) was used throughout the 19th and 20th centuries and continues in use today; and

(B) contains a variety of significant cultural and natural resources.

SEC. 3. AUTHORIZATION AND ADMINISTRATION.

Section 5(a) of the National Trails System Act (16 U.S.C. 1244(a)) is amended—

(1) by designating the paragraphs relating to the California National Historic Trail, the Pony Express National Historic Trail, and the Selma to Montgomery National Historic Trail as paragraphs (18), (19), and (20), respectively; and

(2) by adding at the end the following:

''(21) ALA KAHAKAI NATIONAL HISTORIC TRAIL.—

''(A) IN GENERAL.—The Ala Kahakai National Historic Trail (the Trail by the Sea), a 175 mile long trail extending from Upolu Point on the north tip of Hawaii Island down the west coast of the Island around Ka Lae to the east boundary of Hawaii Volcanoes National Park at the ancient shoreline temple known as 'Wahaulu', as generally depicted on the map entitled 'Ala Kahakai Trail', contained in the report prepared pursuant to subsection (b) entitled 'Ala Kahakai National Trail Study and Environmental Impact Statement', dated January 1998.

''(B) MAP.—A map generally depicting the trail shall be on file and available for public inspection in the Office of the National Park Service, Department of the Interior.

''(C) ADMINISTRATION.—The trail shall be administered by the Secretary of the Interior.

''(D) LAND ACQUISITION.—No land or interest in land outside the exterior boundaries of any federally administered area may be acquired by the United States for the trail except with the consent of the owner of the land or interest in land.

''(E) PUBLIC PARTICIPATION; CONSULTATION.—The Secretary of the Interior shall—

''(i) encourage communities and owners of land along the trail, native Hawaiians, and volunteer trail groups to participate in the planning, development, and maintenance of the trail; and

''(ii) consult with affected Federal, State, and local agencies, native Hawaiian groups, and landowners in the administration of the trail.''.

EXECUTIVE CHAMBERS,
Honolulu, July 1, 1998.

Subject: Congressional Nomination of the Ala Kahakai National Historic Trail on Hawaii.

JOHN J. REYNOLDS,
Regional Director, National Park Service, Pacific West Region, Pacific Great Basin Support Office, San Francisco, CA.

DEAR MR. REYNOLDS: This letter is in regards to the potential inclusion of the historic Ala Kahakai alignment on the island of Hawaii as a part of the National Trail System. Senator Daniel K. Akaka and Senator Daniel K. Inouye introduced federal legislation in 1992, that authorized the National Park Service (NPS) to conduct a National Trail Study and Environmental Impact Statement (NTS/EIS) for the United States Congress, to determine if the Ala Kahakai qualified as a National Historic Trail and to also determine the feasibility of implementing the project.

During the NTS/EIS process, NPS conducted four informational meetings on the island of Hawaii to solicit public sentiment on the possible National Trail status and on the four proposed management scenarios identified in the draft NTS/EIS. The final NTS/EIS recommends inclusion of the Ala Kahakai in the National Trail System, through implementation of Alternative B, which establishes NPS administration and oversight of the trail in coordination with the state and county. The State of Hawaii concurs with Alternative B, but with the following concerns: (1) Congressional approval of Ala Kahakai as a National Trail, without the commensurate funding, may actually contribute to the decline of the associated natural and cultural resources due to the probable resulting increase in public demand for access to the trail and related resources, and (2) it is also imperative that the concerns of native Hawaiians and adjacent private landowners are addressed during development of the management plan.

I commend the NPS in their treatment of the Ala Kahakai in the NTS/EIS, and support Congressional approval of the National Trail designation. The Ala Kahakai is a very significant cultural and recreational resource, and a formal parthership among all the participating agencies, Hawaiian cultural representatives, landowners, trail user groups and individuals will help to assure the sustainability of this valuable historic trail.

With warmest personal regards,
Aloha,

BENJAMIN J. CAYETANO.

FINAL ENVIRONMENTAL IMPACT STATEMENT—RECORD OF DECISION

Summary: Pursuant to §102(2)(C) of the National Environmental Policy Act of 1969 and the regulations promulgated by the Council on Environmental Quality (40 CFR Part 1500), the Department of the Interior, National Park Service has prepared this Record of Decision for the Final Environmental Impact Statement for the National Trail Study for Ala Kahakai. This 175-mile trail is located parallel to the western and southern shoreline of the Island of Hawaii, from Upolu Point on the north to the eastern boundary of Hawaii Volcanoes National Park. This document is a concise statement of decisions made, alternatives considered, basis for the decision, and mitigating measures developed to avoid or minimize environmental impacts.

Recommendation: This National Trail Study (Study) and Final Environmental Impact Statement (FEIS) were prepared to provide the United States Congress and the public with information about the resources in the study area and how they relate to criteria for the National Trails System (System). The decision on whether to designate the Ala Kahakai as a National Historic Trail will be made by Congress after transmittal of the Study and Record of Decision (ROD) by the Secretary of the Interior. The National Park Service (NPS) recommends Alternative B, National Historic Trail (continuous), as the environmentally preferred alternative (and which is described in the FEIS for which the Notice of Availability was published in the Federal Register on April 29, 1998). Out of four alternatives identified and analyzed, the recommended alternative offers the best opportunity to protect trail resources, educate the public about the history and significant of the island shoreline trail, or ala loa, and the Hawaiian culture, and provide high quality recreation. The Draft Environmental Impact Statement (DEIS) for the Study did not recommend on alternative. The DEIS was issued in July 1997, and the public review period ended on October 17, 1997.

Findings: The NPS concludes that the Ala Kahakai meets the three criteria as a National Historic Trail as outlined in the National Trails System Act. The NPS also concludes that establishing a continuous trail is physically feasible.

The NPS concludes that desirability of recognizing the trail rest on two key items: first; communities along the way, native Hawaiians, and landowners all be involved in planning and implementing the trail; and second, adequate funding must be ensured at the time the trail is designated to protect cultural and natural resources. If the trail is designated without adequate funding at the outset, resources may be more threatened by unregulated increase public use then they already are.

The National Park System Advisory Committee agreed at their November 1997 meeting that the Ala Kahakai does have National Historic Significance based on the criteria developed under the Historic Sites Act of 1935.

Recommended Alternative: Under this alternative, National Historic Trail (continuous), Alternative B, the trail would be recognized as a continuous route and over time would become continuous on the ground. Intact segments of the prehistoric and historic ala loa would be preserved and protected in place. These segments would be linked with later trails or reconstructed trails, as feasible, to create a continuous trail. It is anticipated that, once records of title are reviewed, most of the trail will be owned in fee simple by the state and reserved for use of the public under the Highways Act of 1892. The NPS would administer and have oversight of the trail in close coordination with the state and county. Nonfederally-owned portions of the trail would become official components of the National Trail only through agreements with landowners or land managers.

The NPS would prepare a management plan with the active involvement of native Hawaiians, landowners, trail users, and other interested groups and individuals. An advisory council would be appointed by the Secretary of the Interior. The National Trail would be interpreted as a portion of the ancient ala loa and as a traditional cultural property of continuing importance to native Hawaiians. The management plan would include a uniform marker for identifying the trail. State and local agencies, private landowners, local groups, and individuals would manage the trail on the ground. Natural, cultural, and ethnographic resources would be inventoried and protected before trail segments would be promoted for public use. No Federal land acquisition is anticipated (it is expected that any legislation designating the trail would include language prohibiting land acquisition except with the consent of the owner). All current State and County land use regulations would continue to apply to lands adjacent to the trail.

Estimated federal costs for this alternative (presented in the FEIS in 1997 dollars) are as follows: management plan and initial brochure, $275,000; phased costs (archaeological surveys and ethnography, trail identification, restoration, and construction), trailhead and campsite development, facility planning) $3,679,000; and annual operations cost, $265,000.

Other Alternatives Considered: Three other alternatives were considered. The No-Action Alternative, Alternative A, would result in continuing the present conditions. The Ala Kahakai would remain as the 35-mile state demonstration trail. Piecemeal trail and resource protection would be reactionary as development or other threats occur. The trail would be a disconnected series of trail segments emphasizing lateral shoreline access. Over time, as records of title are researched for various reasons, most of the 175-mile trail would be owned in fee simple by the state and reserved for public use, but the ala loa and its role in the lives of ancient and contemporary Hawaiians would not be consistently recognized and interpreted. There would be no overall administration of the trail as a unified whole as part of a system of island trails.

The State Historic Trail Alternative, Alternative C, would require state legislation to recognize the 175-mile trail as a continuous portion of the ala loa. The legislation would outline the requirements of a state management plan and the needs for protection of resources. It is anticipated that the state trails and access program, Nä Ala Hele, would administer the trail. To achieve the vision for the trail, the state would need to appropriate funds specifically for the planning, protection, development, interpretation, and maintenance of the trail. Since the state is likely to own most of the trail in fee simple, this alternative would appear to be viable.

The National Historic Trail (discontinuous) Alternative, Alternative D, would be similar to Alternative B, except that the trail would be recognized as a continuous route, but only intact prehistoric and historic sections would be protected and interpreted for the public. The trail would not be continous on the ground.

Four additional options were considered but rejected as non-viable.

Basis for the Recommendation: In 1992, the U.S. Congress enacted legislation providing for a study of the potential inclusion of the Ala Kahakai into the System. National Trail Studies must determine whether a trail meets eligibility requirements and whether it is feasible and desirable to add it to the System. The NPS found the trail meets the eligibility criteria, and determined it to be feasible and desirable to designate it as a unit of the System if certain conditions are met.

In addition, National Trail Studies analyze a range of conceptual alternatives for managing the trail, including a no-action, a national trail, and other feasible alternatives. It is NPS policy to fulfill its conservation planning-impact analysis and other stewardship obligations through preparing an EIS for National Trail Studies. Also as a matter of policy, the NPS recommends an alternative, fully recognizing that Congress is the decision-making body.

Each alternative in the Ala Kahakai FEIS considers natural, cultural, scenic and visual, and recreational resources, and the socio-economic environment. Of the four alternatives, the recommended alternative offers the best opportunity to protect trail resources, educate the public about the history and significance of the ala loa and the Hawaiian culture, and provide high quality recreation. It would treat the 175-mile trail as a single system, rather than as a series of unrelated segments, providing a context for protection and interpretation. This approach would better protect the resources than the piecemeal approach provided under Alternative A, No-Action, or the segmented approach under Alternative D, National Historic Trail (discontinuous). Under the No-Action Alternative, trail resources could be lost to continuing development and lack of public awareness of trail resource values. Opportunities would be lost to interpret the Ala Kahakai as part of the ala loa. Further, Alternative C, State Historic Trail, may appear to be a likely management scenario (since the state anticipates that it will own most of the trail once land titles are investigated), but the State does not appear to have the funds or enough staff to plan for and manage the entire trail. The recommended alternative would allow NPS administration, coordination, oversight, and technical assistance to bolster state and local management of the trail.

Measures to Minimize Harm: The FEIS addresses conceptual management options for the Ala Kahakai. Supplementary conservation planning and impact analysis would be necessary, in conjunction with preparing a management plan; tiered environmental documents for specific trail projects would be prepared as they occur and as appropriate. The FEIS includes practicable means at a programmatic level to avoid or minimize environmental harm. For instance, it is essential that no section of trail be opened for public use unless and until a management plan, prepared in concert with landowners and native Hawaiians along the segment, is completed and maintenance and protection of cultural and natural resources provided for. Cultural resources and traditional cultural properties would be identified and ethnographies prepared. Native Hawaiian cultural experts would advise on planning and managing the trail. Native Hawaiians, landowners, communities along the way, trail users, and others would be involved in planning for and managing the trail. Natural resources (which are often perceived as cultural resources to Native Hawaiians) would be inventoried and measures taken to protect archaeological sites and threatened and endangered species before any portion of the trail is promoted for public use. Anchialine ponds would be identified and inventoried and a range of protection measures considered before encouraging trail use near them. Effects of trail use on cultural and natural resources would be monitored as feasible and appropriate.

Public Review: The DEIS was developed after public scoping through five public meetings, numerous agency and organization meetings, distribution of meeting summaries, and a newsletter series. Alternatives were developed through a workshop process, and an initial opportunity for public contributions was afforded through a newsletter with response form. The DEIS was issued in late July 1997 and the public review period ended on October 17, 1997. Also during this period the NPS conducted four public meetings and received 67 written comments during the 60-day public review period. The FEIS (noticed in the Federal Register on April 29, 1998) included responses to 39 letters from agencies, landowners, organizations,

and individuals who raised specific issues. In general, the landowners who commented on the DEIS preferred the No Action Alternative, and the organizations and individuals who responded preferred the National Historic Trail (continuous) Alternative. No significant new issues were raised which would require the development of a new alternative, although the FEIS clarified the impacts to land use section, the intent of Alternative B, and revised the cost estimate. The 30-day no-action period began on April 3, 1998 and ended on May 4, 1998.

During the no-action period, two typographic corrections were noted (and are incorporated by reference):

1. On page 39, the abbreviation for MLCD is reversed several times.

2. On page 49, the name ''Kekaha Kai'' is misspelled.

Also during this period several comments were received. These communications neither surfaced new issues or concerns, nor provided information to add to the FEIS. However, since the FEIS provided the first public opportunity to review the NPS recommendation, all comments received are summarized below to ensure that Congress and interested parties are fully apprised of all views. Moreover, all written communications received during the entire environmental compliance process are on file in the NPS's Pacific Great Basin Support Office in San Francisco.

COMMENTS SUPPORTING THE RECOMMENDATION

The U.S. Fish and Wildlife Service supported the recommendation and expressed interest in working with the NPS, the state, and all cooperators on management strategies to protect endangered plants and animals, and their habitats, if the trail is designated a National Historic Trail.

A Hawaii County Council member supported of the recommendation; his letter is attached to the Record of Decision at the request of Senator Daniel Akaka.

Ë Mau Nä Ala Hele, a non-profit trails support group, supported the recommendation and emphasized the need for local control and management.

Wailea Property Owners' Association generally supported the recommendation, but noted concerns for litter, waste, and crime, and requested that the trail be non-motorized.

Several individuals wrote, e-mailed, or telephoned their support for the recommendation.

COMMENTS SUPPORTING OTHER OPTIONS

The President of Ka Ohana O KaLae, a Puna District kinship group, rejected all alternatives because the coastal area ''must fall under jurisdiction of the Native Hawaiian tenant living in that particular portion of ahupuaa.''

Waikoloa Resort supported Alternative A and indicated it would not cooperate with Federal designation of the trail.

Kona Kohala Resort Association supported Alternative A and expressed concern about increased landowner burden under the recommended alternative.

Chalon International continued to question not including the entire ''Cordy report'' in the FEIS.

Kamehameha Schools Bernice Pauhai Bishop Estate reiterated their belief that the Ala Kahakai is a collection of fragmented remnants and thus opposed designation of a National Trail along the Hawaii coastline.

Skycliff Investment, L.L.C. questioned the listing in Appendix G of 0.89 miles of the Ala Kahakai passing over their property. As new owners they did not have the opportunity to comment on the DEIS. They cautioned avoidance of regulatory taking without compensation and asked to be consulted on any developments related to the Ala Kahakai Study.

The Hawaii Leeward Planning Conference restated concerns noted in the FEIS.

Oceanside 1250 wrote three letters: one commented on other letters included in the FEIS; the other two restated concerns noted in the FEIS.

Conclusion: The National Trail Study, Draft and Final EIS, and Record of Decision will be transmitted to Congress by the Secretary of the Interior. The decision on whether to designate the Ala Kahakai as a National Historic Trail will be made by Congress.

U.S. SENATE,
Washington, DC, April 24, 1998.

SUPERINTENDENT,
Pacific Great Basin Support Office, National Park Service, San Francisco, CA.

DEAR SUPERINTENDENT: Please include the enclosed remarks of J. Curtis Tyler III, Council Member, County Council of Hawaii, as part of the public comment record on the *National Trail Study and Final Environmental Impact Statement for the Ala Kahakai.*

Thank you for your attention to this matter.

Aloha pumehana,

DANIEL K. AKAKA,
U.S. Senator.

Enclosure.

COUNTY COUNCIL,
COUNTY OF HAWAII,
Hilo HI, April 13, 1998.

Re: Final EIS, Ala Kahakai, Hawai'i Island.

DANIEL K. AKAKA,
U.S. Senate,
Washington, DC.

DEAR SENATOR AKAKA: I have reviewed a copy of the above referenced study and wish to submit the following brief comments:

As a Native Hawaiian and an elected public official, I encourage the Congress and National Park Service to include Ala Kahakai in the National Trail System. I believe that, as both a traditional cultural and public resource, this trail is totally unique and of enormous significance and value. Therefore, its conservation and protection are extremely important, not only to present and future generations of Native Hawaiians, but to the general public as well.

I believe that inclusion of this trail will afford greater opportunities to attract the resources necessary to conserve and protect it. This is especially important in light of the fiscal and other constraints now being experienced in the State of Hawaii.

I am aware that some feel inclusion may further compromise this special asset, but I am confident that, as long as the the trail remains a part of the public trust, and there is a willingness and open mechanism to consider and implement the perspectives and wishes of local residents, including Native Hawaiians, the end result will be superior to leaving this matter only in the hands of state and local governments.

Finally, I wish to commend you and all those who have worked on this project. In my opinion, the work has been done in a sensitive and thorough manner, and demonstrates a true commitment on your part to seek and ensure that the life of this land will continue to be perpetuated in that which is pono.

Thank you for the opportunity to comment on this important matter. Please do not hesitate to contact me if I can be of further assistance.

Sincerely,

J. CURTIS TYLER, III,
Council Member, District 8.

By Mr. MOYNIHAN (for himself and Mr. SCHUMER):

S. 701. A bill to designate the Federal building located at 290 Broadway in New York, New York, as the ''Ronald H. Brown Federal Building''; to the Committee on Environment and Public Works.

RONALD H. BROWN FEDERAL BUILDING

Mr. MOYNIHAN. Mr. President, I rise with my colleague Senator SCHUMER to introduce a bill to honor and remember a truly exceptional American, Ronald H. Brown. The bill would designate the newly constructed Federal building located at 290 Broadway in the heart of lower Manhattan as the ''Ronald H. Brown Federal Building.''

It is a fitting gesture to recognize the passing of this remarkable American, and I would ask for my colleagues' support for this legislation to place one more marker in history on Ron Brown's behalf.

Ron Brown had a great love for enterprise and industry as reflected in his achievements as the first African-American to hold the office of U.S. Secretary of Commerce. His was also a life of outstanding achievement and public service: Army captain; vice president of the National Urban League; partner in a prestigious law firm; chairman of the Democratic National Committee; husband and father. And these are but a few of the achievements that demonstrated Ron Brown's spirited and sweeping pursuit of life.

To have held any one of these posts in the government, and in the private sector, is extraordinary. To have held all of the positions he did and prevail as he did, is unique. Ron Brown was tragically taken from us too soon; we are diminished by his loss. I cannot think of a more fitting tribute to this uncommon man.

I ask unanimous consent that the text of the Ronald H. Brown Federal Building Designation Act of 1999, be printed in the RECORD.

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

S. 701

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

SECTION 1. DESIGNATION OF RONALD H BROWN FEDERAL BUILDING.

The Federal building located at 290 Broadway in New York, New York, shall be known and designated as the ''Ronald H. Brown Federal Building''.

SEC. 2 REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the building referred to in section 1 shall be deemed to be a reference to the ''Ronald H. Brown Federal Building''.

● Mr. SCHUMER. Mr. President, I am honored to join my colleague, the Senior Senator from New York, PAT MOYNIHAN, to introduce this bill to honor Ronald H. Brown, a gifted and committed public servant. This legislation, which we offer in concert with a similar measure authored by our friend and House colleague Congressman Charles

Rangel, would designate the newly constructed Federal building at 290 Broadway in Manhattan as the ''Ronald H. Brown Federal Building.''

A New Yorker raised on Lennox Avenue in Harlem, Ron Brown loved his country and ultimately gave his life in service to it. An Army captain, vice-president of the National Urban League, Chairman of the Democratic National Committee, Ron Brown became the first African-American to serve as Secretary of Commerce in 1993, breathing new life and purpose into that agency. President Clinton, in praising Brown's work there, once told Commerce Department employees that Brown ''was one of the best advisors and ablest people I ever knew.''

Brown's life was marked by a passion, and determination, to ensure that the promise of liberty and opportunity rang true for all Americans. At the Urban League and then at the DNC, he worked ceaselessly to promote civil rights and economic development for minorities. Later as Secretary of Commerce, Ron Brown traversed the globe in efforts to remove trade barriers and reinforce the American values of fair labor practices and human rights.

Less than three years ago, we lost Secretary Brown and 32 American businessmen, Commerce employees, and military personnel in a tragic plane crash in Croatia. Today we offer this measure as our tribute. A uniquely talented and beloved man, Ron Brown is sorely missed.

By Mr. HARKIN (for himself, Mrs. BOXER, Mr. KERRY, Mr. LEAHY, Mr. INOUYE, Mr. TORRICELLI, Mr. KENNEDY, Ms. MIKULSKI, and Mrs. MURRAY):

S. 702. A bill to amend the Fair Labor Standards Act of 1938 to prohibit discrimination in the payment of wages on account of sex, race, or national origin, and for other purposes; to the committee on Health, Education, Labor, and Pensions.

FAIR PAY ACT OF 1999

Mr. HARKIN. Mr. President, there is perhaps no other form of discrimination that has as direct an impact on the day-to-day lives of workers as wage discrimination. A recent survey of working women found receiving fair pay is one of their top concerns. When women aren't paid what they're worth, we all get cheated. That's why we are introducing the Fair Pay Act of 1999—to ensure equal pay for work of equal value for all Americans.

The Equal Pay Act of 1963 prohibits sex-based discrimination in compensation for doing the same job. However, this statute fails to address other major parts of the pay equity problem such as job segregation. Current law has not reached far enough to combat wage discrimination when employers routinely pay lower wages to jobs that are dominated by women. More than 30 years after the passage of the Equal Pay Act, women's wages still seriously lag behind their male counterparts' wages. The central problem is that we continue to undervalue and underpay work done by women.

The Fair Pay Act is designed to pick up where the Equal Pay Act left off. The heart of the bill seeks to eliminate wage discrimination based upon sex, race or national origin. This important legislation would amend the Fair Labor Standards Act of 1938 to make it illegal for employers to discriminate against women and minorities by paying them less in jobs that are comparable in skill, effort, responsibility and working conditions.

The Fair Pay Act would apply to each company individually and would prohibit companies from reducing other employees' wages to achieve pay equity. Seven states have passed and implemented laws to close the wage gap for state employees and they didn't go bankrupt doing it. Canada also passed similar pay equity laws that apply to both the government and private sectors.

Wage gaps can result from differences in education, experience or time in the workforce and the Fair Pay Act in no way interferes with that. But just as there is a glass ceiling in the American workplace, there is also a ''Glass Wall'' encountered by women who have similar skills and have the similar responsibilities as their male counterparts, but still do not receive the same pay.

For example, a study of Los Angeles County employees showed social workers were paid $35,000 a year while probation officers were paid $55,000. That's a $20,000 difference, although the jobs required similar skills, education and working conditions. This is what the Fair Pay Act aims to fix.

A February 1999 report by the Institute for Women's Policy Research and the AFL–CIO found that families lose an average of $3,446 a year because of unequal pay in female-dominated jobs. That's $420,000 over a lifetime of the average woman.

Mr. President, persistent wage gaps for working women and people of color and the earnings inequality these gaps connote translate into lower pay, less family income and more poverty for working families. The solution, long overdue, is fair pay for women and minority workers.

Please join us in support of Fair Pay Act of 1999.

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

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

S. 702

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

SECTION 1. SHORT TITLE AND REFERENCE.

(a) SHORT TITLE.—This Act may be cited as the ''Fair Pay Act of 1999''.

(b) REFERENCE.—Except as provided in section 8, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.).

SEC. 2. FINDINGS.

Congress finds the following:

(1) Wage rate differentials exist between equivalent jobs segregated by sex, race, and national origin in Government employment and in industries engaged in commerce or in the production of goods for commerce.

(2) The existence of such wage rate differentials—

(A) depresses wages and living standards for employees necessary for their health and efficiency;

(B) prevents the maximum utilization of the available labor resources;

(C) tends to cause labor disputes, thereby burdening, affecting, and obstructing commerce;

(D) burdens commerce and the free flow of goods in commerce; and

(E) constitutes an unfair method of competition.

(3) Discrimination in hiring and promotion has played a role in maintaining a segregated work force.

(4) Many women and people of color work in occupations dominated by individuals of their same sex, race, and national origin.

(5)(A) A General Accounting Office analysis of wage rates in the civil service of the State of Washington found that in 1985 of the 44 jobs studied that paid less than the average of all equivalent jobs, approximately 39 percent were female-dominated and approximately 16 percent were male dominated.

(B) A study of wage rates in Minnesota using 1990 Decennial Census data found that 75 percent of the wage rate differential between white and non-white workers was unexplained and may be a result of discrimination.

(6) Section 6(d) of the Fair Labor Standards Act of 1938 prohibits discrimination in compensation for ''equal work'' on the basis of sex.

(7) Title VII of the Civil Rights Act of 1964 prohibits discrimination in compensation because of race, color, religion, national origin, and sex. The Supreme Court, in its decision in County of Washington v. Gunther, 452 U.S. 161 (1981), held that title VII's prohibition against discrimination in compensation also applies to jobs that do not constitute ''equal work'' as defined in section 6(d) of the Fair Labor Standards Act of 1938. Decisions of lower courts, however, have demonstrated that further clarification of existing legislation is necessary in order effectively to carry out the intent of Congress to implement the Supreme Court's holding in its Gunther decision.

(8) Artificial barriers to the elimination of discrimination in compensation based upon sex, race, and national origin continue to exist more than 3 decades after the passage of section 6(d) of the Fair Labor Standards Act of 1938 and the Civil Rights Act of 1964. Elimination of such barriers would have positive effects, including—

(A) providing a solution to problems in the economy created by discrimination through wage rate differentials;

(B) substantially reducing the number of working women and people of color earning low wages, thereby reducing the dependence on public assistance; and

(C) promoting stable families by enabling working family members to earn a fair rate of pay.

SEC. 3. EQUAL PAY FOR EQUIVALENT JOBS.

(a) AMENDMENT.—Section 6 (29 U.S.C. 206) is amended by adding at the end the following:

''(h)(1)(A)(i) Except as provided in clause (ii), no employer having employees subject to any provision of this section shall discriminate, within any establishment in which such employees are employed, between employees on the basis of sex, race, or national origin by paying wages to employees in such establishment in a job that is dominated by employees of a particular sex, race, or national origin at a rate less than the rate at which the employer pays wages to employees in such establishment in another job that is dominated by employees of the opposite sex or of a different race or national origin, respectively, for work on equivalent jobs.

''(ii) Nothing in clause (i) shall prohibit the payment of different wage rates to employees where such payment is made pursuant to—

''(I) a seniority system;

''(II) a merit system; or

''(III) a system that measures earnings by quantity or quality of production.

''(iii) The Equal Employment Opportunity Commission shall issue guidelines specifying criteria for determining whether a job is dominated by employees of a particular sex, race, or national origin. Such guidelines shall not include a list of such jobs.

''(B) An employer who is paying a wage rate differential in violation of subparagraph (A) shall not, in order to comply with the provisions of such subparagraph, reduce the wage rate of any employee.

''(2) No labor organization or its agents representing employees of an employer having employees subject to any provision of this section shall cause or attempt to cause such an employer to discriminate against an employee in violation of paragraph (1)(A).

''(3) For purposes of administration and enforcement of this subsection, any amounts owing to any employee that have been withheld in violation of paragraph (1)(A) shall be deemed to be unpaid minimum wages or unpaid overtime compensation under this section or section 7.

''(4) As used in this subsection:

''(A) The term 'labor organization' means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

''(B) The term 'equivalent jobs' means jobs that may be dissimilar, but whose requirements are equivalent, when viewed as a composite of skills, effort, responsibility, and working conditions.''.

(b) CONFORMING AMENDMENT.—Section 13(a) (29 U.S.C. 213(a)) is amended in the matter before paragraph (1) by striking ''section 6(d)'' and inserting ''sections 6(d) and 6(h)''.

SEC. 4. PROHIBITED ACTS.

Section 15(a) (29 U.S.C. 215(a)) is amended—

(1) by striking the period at the end of paragraph (5) and inserting a semicolon; and

(2) by adding after paragraph (5) the following new paragraphs:

''(6) to discriminate against any individual because such individual has opposed any act or practice made unlawful by section 6(h) or because such individual made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing to enforce section 6(h); or

''(7) to discharge or in any other manner discriminate against, coerce, intimidate, threaten, or interfere with any employee or any other person because the employee inquired about, disclosed, compared, or otherwise discussed the employee's wages or the wages of any other employee, or because the employee exercised, enjoyed, aided, or encouraged any other person to exercise or enjoy any right granted or protected by section 6(h).''.

SEC. 5. REMEDIES.

Section 16 (29 U.S.C. 216) is amended—

(1) by adding at the end the following:

''(f) In any action brought under this section for violation of section 6(h), the court shall, in addition to any other remedies awarded to the prevailing plaintiff or plaintiffs, allow expert fees as part of the costs. Any such action may be maintained as a class action as provided by the Federal Rules of Civil Procedure.'';

(2) in subsection (b), by striking ''section 15(a)(3)'' each place it occurs and inserting ''paragraphs (3), (6), and (7) of section 15(a)''; and

(3) in the fourth sentence of subsection (b), by striking ''No employees'' and inserting ''Except with respect to class actions brought under subsection (f), no employees''.

SEC. 6. RECORDS.

(a) TECHNICAL AMENDMENT.—Section 11(c) (29 U.S.C. 211(c)) is amended by inserting ''(1)'' after ''(c)''.

(b) RECORDS.—Section 11(c) (as amended by subsection (a)) is further amended by adding at the end the following:

''(2)(A) Every employer subject to section 6(h) shall preserve records that document and support the method, system, calculations, and other bases used by the employer in establishing, adjusting, and determining the wage rates paid to the employees of the employer. Every employer subject to section 6(h) shall preserve such records for such periods of time, and shall make such reports from the records to the Equal Employment Opportunity Commission, as shall be prescribed by the Equal Employment Opportunity Commission by regulation or order as necessary or appropriate for the enforcement of the provisions of section 6(h) or any regulation promulgated pursuant to section 6(h).''.

(c) SMALL BUSINESS EXEMPTIONS.—Section 11(c) (as amended by subsections (a) and (b)) is further amended by adding at the end the following:

''(B)(i) Every employer subject to section 6(h) that has 25 or more employees on any date during the first or second year after the effective date of this paragraph, or 15 or more employees on any date during any subsequent year after such second year, shall, in accordance with regulations promulgated by the Equal Employment Opportunity Commission under subparagraph (F), prepare and submit to the Equal Employment Opportunity Commission for the year involved a report signed by the president, treasurer, or corresponding principal officer, of the employer that includes information that discloses the wage rates paid to employees of the employer in each classification, position, or job title, or to employees in other wage groups employed by the employer, including information with respect to the sex, race, and national origin of employees at each wage rate in each classification, position, job title, or other wage group.''.

(d) PROTECTION OF CONFIDENTIALITY.—Section 11(c) (as amended by subsections (a) through (c)) is further amended by adding at the end the following:

''(ii) The rules and regulations promulgated by the Equal Employment Opportunity Commission under subparagraph (F), relating to the form of such a report, shall include requirements to protect the confidentiality of employees, including a requirement that the report shall not contain the name of any individual employee.''.

(e) USE; INSPECTIONS; EXAMINATIONS; REGULATIONS.—Section 11(c) (as amended by subsections (a) through (d)) is further amended by adding at the end the following:

''(C) The Equal Employment Opportunity Commission may publish any information and data that the Equal Employment Opportunity Commission obtains pursuant to the provisions of subparagraph (B). The Equal Employment Opportunity Commission may use the information and data for statistical and research purposes, and compile and publish such studies, analyses, reports, and surveys based on the information and data as the Equal Employment Opportunity Commission may consider appropriate.

''(D) In order to carry out the purposes of this Act, the Equal Employment Opportunity Commission shall by regulation make reasonable provision for the inspection and examination by any person of the information and data contained in any report submitted to the Equal Employment Opportunity Commission pursuant to subparagraph (B).

''(E) The Equal Employment Opportunity Commission shall by regulation provide for the furnishing of copies of reports submitted to the Equal Employment Opportunity Commission pursuant to subparagraph (B) to any person upon payment of a charge based upon the cost of the service.

''(F) The Equal Employment Opportunity Commission shall issue rules and regulations prescribing the form and content of reports required to be submitted under subparagraph (B) and such other reasonable rules and regulations as the Equal Employment Opportunity Commission may find necessary to prevent the circumvention or evasion of such reporting requirements. In exercising the authority of the Equal Employment Opportunity Commission under subparagraph (B), the Equal Employment Opportunity Commission may prescribe by general rule simplified reports for employers for whom the Equal Employment Opportunity Commission finds that because of the size of the employers a detailed report would be unduly burdensome.''.

SEC. 7. RESEARCH, EDUCATION, AND TECHNICAL ASSISTANCE PROGRAM; REPORT TO CONGRESS.

Section 4(d) (29 U.S.C. 204(d)) is amended by adding at the end the following:

''(4) The Equal Employment Opportunity Commission shall conduct studies and provide information and technical assistance to employers, labor organizations, and the general public concerning effective means available to implement the provisions of section 6(h) prohibiting wage rate discrimination between employees performing work in equivalent jobs on the basis of sex, race, or national origin. Such studies, information, and technical assistance shall be based on and include reference to the objectives of such section to eliminate such discrimination. In order to achieve the objectives of such section, the Equal Employment Opportunity Commission shall carry on a continuing program of research, education, and technical assistance including—

''(A) conducting and promoting research with the intent of developing means to expeditiously correct the wage rate differentials described in section (6)(h);

''(B) publishing and otherwise making available to employers, labor organizations, professional associations, educational institutions, the various media of communication, and the general public the findings of studies and other materials for promoting compliance with section 6(h);

''(C) sponsoring and assisting State and community informational and educational programs; and

''(D) providing technical assistance to employers, labor organizations, professional associations and other interested persons on

means of achieving and maintaining compliance with the provisions of section 6(h).

''(5) The report submitted biennially by the Secretary to Congress under paragraph (1) shall include a separate evalution and appraisal regarding the implementation of section 6(h).''.

SEC. 8. CONFORMING AMENDMENTS.

(a) CONGRESSIONAL EMPLOYEES.—

(1) APPLICATION.—Section 203(a)(1) of the Congressional Accountability Act of 1995 (2 U.S.C. 1313(a)(1)) is amended—

(A) by striking ''subsections (a)(1) and (d) of section 6'' and inserting ''subsections (a)(1), (d), and (h) of section 6''; and

(B) by striking ''206 (a)(1) and (d)'' and inserting ''206 (a)(1), (d), and (h)''.

(2) REMEDIES.—Section 203(b) of such Act (2 U.S.C. 1313(b)) is amended by inserting before the period the following: ''or, in an appropriate case, under section 16(f) of such Act (29 U.S.C. 216(f))''.

(b) EXECUTIVE BRANCH EMPLOYEES.—

(1) APPLICATION.—Section 413(a)(1) of title 3, United States Code, as added by section 2(a) of the Presidential and Executive Office Accountability Act (Public Law 104–331; 110 Stat. 4053), is amended by striking ''subsections (a)(1) and (d) of section 6'' and inserting ''subsections (a)(1), (d), and (h) of section 6''.

(2) REMEDIES.—Section 413(b) of such title is amended by inserting before the period the following: ''or, in an appropriate case, under section 16(f) of such Act''.

SEC. 9. EFFECTIVE DATE.

The amendments made by this Act shall take effect 1 year after the date of enactment of this Act.

FAIR PAY ACT—SUMMARY

The bill amends the Fair Labor Standards Act of 1938 to prohibit discrimination in wages paid to employees within a workplace in equivalent/comparable jobs solely on the basis of a worker's sex, race or national origin.

It requires employers to preserve records on wage setting practices and file annual reports with the EEOC. Reports would disclose the wage rates paid for jobs within the company as well as the sex, race and national origin of employees within these positions. Confidentiality of the names is mandated.

The bill exempts small businesses that have 25 employees or less the first two years and 15 employees or less after the second year the legislation is enacted.

It directs the EEOC to provide technical assistance to employers and report to Congress on the progress of the Act's implementation. However, it is up to the individual business to determine wages and job equivalency within the organization.

The bill includes non-retaliation protections for employees inquiring about or assisting in investigations related to the Act.

It prohibits companies from reducing wages to achieve pay equity.

By Mr. SMITH of New Hampshire (for himself, Mr. CRAIG, Mr. INHOFE, and Mr. HELMS):

S. 703. A bill to amend section 922 of chapter 44 of title 18, United States Code; to the Committee on the Judiciary.

BRADY ACT AMENDMENTS OF 1999

Mr. SMITH of New Hampshire. Mr. President, I rise to introduce a bill that I am calling the ''Brady Act Amendments of 1999,'' which would remove ''long guns'' from the requirements of the National Instant Criminal Background Check System (NICS). I am pleased to be joined by my distinguished colleagues, Senators CRAIG, INHOFE, and HELMS, as original cosponsors.

Mr. President, Congress has imposed many restrictions on firearms sales over the years, with no apparent effect on reducing crime. By contrast, the most effective crime fighting initiatives have been undertaken at the state and local levels. Many states have dramatically reduced crime by increasing their incarceration rates. Local governments, such as that of Richmond, Virginia, reduced crime rates by aggressively prosecuting cases involving possession of firearms by convicted felons and drug dealers—not by imposing any new restrictions on the purchase of firearms.

In fact, Mr. President, states that have fewer restrictions on the purchase of firearms have more favorable crime reduction trends than other states. Despite all of the favorable media fanfare over the Brady Act, states that were covered by its ''waiting period'' phase until the NICS went into effect late last year actually had worse crime trends than other states.

The Federal Bureau of Investigation notes that out of the total number of homicides in a recent reporting period that were committed with firearms, less than 7% were committed with rifles, and less than 7% were committed with shotguns. Out of the total number of homicides, rifles and shotguns each were used in 4%, while knives, which may be purchased without clearance by the NICS, were used in 13% of such cases.

Mr. President, my bill would amend the Brady Act to make the NICS apply not to firearms in general, but only to handguns.

Mr. President, I ask unanimous consent to have the text of my bill printed in the RECORD.

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

S. 703

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 ''Brady Act Amendments of 1999.''

SEC. 2. LIMITATION OF COVERAGE OF BRADY ACT TO HANDGUNS.

Subsection (t) of section 922 of chapter 44 of Title 18, United States Code, is amended by striking ''firearm'' in paragraphs (1), (2), (4), (5), and (6), and the first time it appears in paragraph (3), and inserting in lieu thereof ''handgun.''

By Mr. KYL (for himself, Mr. JOHNSON, Mr. HATCH, Mr. THURMOND, Mr. INOUYE, Mr. GRASSLEY, Mr. DORGAN, Mr. SESSIONS, Mr. CLELAND, Mr. ASHCROFT, Mrs. LINCOLN, and Mr. ABRAHAM):

S. 704. A bill to amend title 18, United States Code, to combat the overutilization of prison health care services and control rising prisoner health care costs; to the Committee on the Judiciary.

FEDERAL PRISONER HEALTH CARE COPAYMENT ACT

● Mr. KYL. Mr. President, I rise to introduce the Federal Prisoner Health Care Copayment Act, which would require federal prisoners to pay a nominal fee when they initiate certain visits for medical attention. Fees collected from prisoners subject to an order of restitution shall be paid to victims in accordance with the order. Seventy-five percent of all other fees would be deposited in the Federal Crime Victims' Fund and the remainder would go to the Federal Bureau of Prisons (BOP) and the U.S. Marshals Service for administrative expenses incurred in carrying out this Act.

Each time a prisoner pays to heal himself, he will be paying to heal a victim.

Most working, law-abiding Americans are required to pay a copayment fee when they seek medical attention. It is time to impose this requirement on federal prisoners.

The Department of Justice supports the Federal inmate user fee concept, and worked with us on crafting the language contained in this Act.

To date, well over half of the states—including our home states of Arizona and South Dakota—have implemented state-wide prisoner health care copayment programs. Additionally, the following states have enacted this reform: Alabama, California, Colorado, Connecticut, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Minnesota, Mississippi, Nevada, New Hampshire, New Jersey, North Carolina, Ohio, Oklahoma, Rhode Island, Tennessee, Texas, Utah, Virginia, Washington, West Virginia, and Wisconsin. Additional states are considering implementing copayment programs.

Copayment programs have an outstanding record of success on the state level.

Tennessee, which began requiring $3 copayments in January 1996, reported in late 1997 that the number of infirmary visits per inmate had been cut almost in half. In August 1998, prison officials in Ohio evaluated the nascent state copayment law, finding that the number of prisoners seeing a doctor has dropped 55 percent and that between March and August the copayment fee generated $89,500. In Arizona, there has been a reduction of about 30 percent in the number of requests for health care services.

Copayment programs reduce the overutilization of health care services without denying necessary care to the indigent. By discouraging the overuse of health care, the Prisoner Health Care Copayment Act should (1) help prisoners in true need of attention to receive better care, (2) benefit taxpayers through a reduction in the expense of operating a prison health care system, and (3) reduce the burden on corrections officers to escort prisoners feigning illness to health care facilities is reduced.

The Act prohibits the refusal of treatment for financial reasons or for appropriate preventive care.

Congress should follow the lead of the states and provide the federal Bureau of Prisons with the authority to charge federal inmates a nominal fee for elective health care visits. The federal system is particularly ripe for reform. According to the 1996 Corrections Yearbook, the system spends more per inmate on health care than virtually every state. Federal inmate health care totaled $354 million in fiscal year 1998, up from $138 million in fiscal year 1990. Average cost per inmate has increased over 36 percent during this period, from $2,483 to $3,363.

Before I conclude, I would like to thank my colleague Senator JOHNSON for his support and assistance with this legislation. Additionally, I appreciate the assistance of the Arizona Department of Corrections, and the office staff of Sheriff Buchanan in helping me draft this reform.

I look forward to continuing to work with the Department of Justice, the Bureau of Prisons, and colleagues on both sides of the aisle, to implement a fee-for-medical-service-program—a sensible and overdue reform—for federal prisoners.

● Mr. JOHNSON. Mr. President, I am pleased today to join Senator KYL in introducing the Federal Prisoner Health Care Copayment Act. The Kyl-Johnson bill will require federal prisoners to pay a nominal fee when they initiate certain visits for medical attention. Fees collected from prisoners will either be paid as restitution to victims or be deposited into the Federal Crime Victims' Fund. My state of South Dakota is one of 34 states that have implemented state-wide prisoner health care copayment programs. The Department of Justice supports extending this prisoner health care copayment program to federal prisoners in an attempt to reduce unnecessary medical procedures and ensure that adequate health care services are available for prisoners who need them.

My interest in the prisoner health care copayment issue came from discussions I had in South Dakota with a number of law enforcement officials and US Marshal Lyle Swenson about the equitable treatment between pre-sentencing federal prisoners housed in county jails and the county prisoners residing in those same facilities. Currently, county prisoners in South Dakota are subject to state and local laws allowing the collection of a health care copayment, while Marshals Service prisoners are not, thereby allowing federal prisoners to abuse health care resources at great cost to state and local law enforcement.

I want to thank Senator KYL for working with me on specific concerns raised by South Dakota law enforcement officials and the US Marshals Service that I wanted addressed in the bill. I sincerely appreciate Senator KYL's willingness to incorporate my language into the Federal Prisoner Health Care Copayment Act that allows state and local facilities to collect health care copayment fees when housing pre-sentencing federal prisoners.

I also worked with Senator KYL to include sufficient flexibility in the Kyl-Johnson bill for the Bureau of Prisons and local facilities contracting with the Marshals Service to maintain preventive-health priorities. The Kyl-Johnson bill prohibits the refusal of treatment for financial reasons or for appropriate preventive care. I am pleased this provision was included to pre-empt long term, and subsequently more costly, health problems among prisoners.

The goal of the Kyl-Johnson Federal Prisoner Health Care Copayment Act is not about generating revenue for the federal, state, and local prison systems. Instead, current prisoner health care copayment programs in 34 states illustrate the success in reducing the number of frivolous health visits and strain on valuable health care resources. The Kyl-Johnson bill will ensure that adequate health care is available to those prisoners who need it, without straining the budgets of taxpayers.

By Mr. ASHCROFT:

S. 705. A bill to repeal section 8003 of Public Law 105–174; to the Committee on Commerce, Science, and Transportation.

HOME PAGE TAX REPEAL ACT

Mr. ASHCROFT. Mr. President, Daniel Webster argued to the Supreme Court in *McCulloch* v. *Maryland* that the power to tax involves the power to destroy. Chief Justice Marshall was so taken with Webster's argument that he made it the central premise of his landmark opinion for the Court. Fully cognizant of the potential for abuse inherent in the power to tax, the framers carefully circumscribed this power. The Constitution limits the tax power to the Congress and requires revenue bills to originate in the House of Representatives, the body most responsive to the people. The notion that unelected bureaucrats could levy taxes absent any congressional authority would have been a complete anathema to the framers. It is a long way from ''no taxation without representation'' to taxation without notice, representation or even participation from the Congress.

Unfortunately, the National Science Foundation appears to have forgotten that the power to tax belongs to the Congress and to Congress alone. Since 1992, the National Science Foundation has employed a private sector firm to registering second-level domain names, which are the unique identifiers that precede ''.com'' or ''.org.'' In 1995, the National Science Foundation amended its agreement with the firm to allow it to charge a $100 registration fee, and a $50 renewal fee. If those fees had been designed simply to allow the private firm to cover its costs and make a modest profit they would be unproblematic. However, that is not what happened here. The National Science Foundation, without any congressional authority, required the private firm to set aside 30 percent of the total fees collected and turn them over to the National Science Foundation's Intellectual Infrastructure Fund. In short, without any congressional authorization, the National Science Foundation levied a substantial tax (at greater than a 42-percent rate) on a necessary item for doing business on the Internet.

Allowing this agency action to go unremedied would set a terrible precedent. Why should any agency suffer through the vagaries of the appropriations process if it can just impose its own taxes? As long as the agency has a monopoly over a necessary permit or license, it can set just about any tax rate it pleases. The agency could then use these tax revenues to fund its activities without too much concern for the appropriators and authorizers in Congress.

The potential for abuse in such unauthorized and unconstitutional taxes was not lost on the Federal District Court that heard a challenge to the National Science Foundation's actions. The Court correctly determined that the National Science Foundation's actions amounted to an unconstitutional tax. Remarkably, Congress, rather than taking the National Science Foundation to task for its arrogation of taxing authority, actually ratified the Foundation's actions in a provision in last year's supplemental appropriations bill. The message this sends to federal agencies is intolerable. It creates a perverse and unconstitutional incentive for agencies to impose unauthorized taxes with every reason to believe that a Congress that has never seen a revenue source it did not like will ratify its misbehavior.

What is more, the National Science Foundation's actions and Congress' ratification of those actions are inconsistent with the spirit of the Internet Tax Moratorium Act we passed last year. At the same time that we are telling States and localities that they cannot impose discriminatory taxes on the Internet, Congress is ratifying a 42% tax on the registration of domain names. Congress must be consistent with respect to Internet taxation. We must act to repeal the ratification of this unconstitutional tax. The bill I introduce today, the Home Page Tax Repeal Act of 1999 does just that. It sends a clear message that Congress will not tolerate taxation of the Internet and will not allow federal bureaucrats to wield the power of taxation.

Finally, let me be clear that my criticism of the National Science Foundation's actions in levying this tax should not be mistaken for criticism of the policies they have pursued or of the uses to which they have put the revenues. I am fully supportive of efforts to ensure that we study the growth of the Internet and that the infrastructure supporting the Internet keeps up with rapid growth of this incredible medium. Indeed, spending for these purposes is so clearly justified that I have every confidence that sufficient funds will be appropriated through the normal appropriations process. But that is the process that should be followed. Allowing an agency to short-circuit that process and impose unconstitutional taxes—even with the best of motives—is simply unacceptable. The power to tax is indeed the power to destroy. The power to tax is oppressive enough in the hands of elected officials who must face the voters. That same power in the hands of unelected bureaucrats is intolerable. On behalf of the people we represent, Congress should reclaim its

proper constitutional authority and reject—not ratify—this unconstitutional tax.

By Ms. SNOWE (for herself, Mrs. HUTCHISON, Mrs. MURRAY, Ms. MIKULSKI, Mrs. BOXER, Ms. COLLINS, Mr. ROCKEFELLER, MR. REID, Mr. BIDEN, Mr. AKAKA, Mr. KERRY, Mr. ASHCROFT, Mr. DODD, Mr. DURBIN, Mr. TORRICELLI, Mr. INOUYE, Mr. LIEBERMAN, and Mr. SARBANES):

S. 706. A bill to create a National Museum of Women's History Advisory Committee; to the Committee on Rules and Administration.

ADVISORY COMMITTEE FOR THE NATIONAL MUSEUM OF WOMEN'S HISTORY

● Ms. SNOWE. Mr. President, in honor of Women's History Month, today I am introducing legislation to create an Advisory Committee for the National Museum of Women's History. I am pleased to be joined by 17 of my colleagues: Senators HUTCHISON, MURRAY, MIKULSKI, BOXER, COLLINS, ROCKEFELLER, REID, BIDEN, AKAKA, KERRY (MA), ASHCROFT, DODD, DURBIN, TORRICELLI, INOUYE, LEIBERMAN, and SARBANES.

For far too long, women have contributed to history, but have largely been forgotten in our history books, in our monuments, and in our museums. It is long past time that the roles women have played be removed from the shadows of indifference and given a place where they can shine.

The bill we are introducing today will create a 26 member Advisory Committee to look at the following three issues and report back to Congress concerning (1) identification of a site for the museum in the District of Columbia; (2) development of a business plan to allow the creation and maintenance of the museum to be done solely with private contributions and 3) assistance with the collection and program of the museum.

It is important to note that this bill does not commit Congress to spending any money for this museum. The Committee's report will tell us the feasibility of funding the museum privately. And I believe that the Museum's Board has shown that they have the ability to do just that.

The concept for the National Museum of Women's History (NMWH) was created back in 1996. Since that time, the Board of Directors, lead by President Karen Staser, has worked tirelessly to build support and interest for this project. And judging by the fact that they have raised more than $10.5 million for the project, lent their support to the moving of the Suffragette statute from the crypt to the Rotunda, and raised $85,000 for that effort, I'd say they are well on their way to success.

They have also spent a lot of time answering the question ''why do we need a women's museum when we have the SMITHsonian.'' The first answer to that comes from Edith Mayo, Curator Emeritus of the Smithsonian National Museum of American History, who notes that since 1963 only two exhibits—two—were dedicated to the role of women in history.

The fact is, in the story of America's success, the chapter on women's contributions has largely been left on the editing room floor. Here's what I mean: Many of us know that women fought and got the vote in 1920, with the ratification of the 19th Amendment to the Constitution. But how many know that Wyoming gave women the right to vote in 1869, 51 years earlier, and that by 1900 Utah, Colorado and Idaho had granted women the right to vote? Or that the suffragette movement took 72 years to meet its goal? And few know that the women of Utah sewed dresses made from silk for the Suffragettes on their cross country tour.

History is filled with other little known but significant milestones: like the first woman elected to the United States Senate was Hattie Wyatt Caraway from Louisiana in 1932. That Margaret Chase Smith, from my home state of Maine, was the first woman elected to the US Senate in her own right in 1948, and in 1962 became the first women to run for the US Presidency in the primaries of a major political party. Or that the first female cabinet member was Frances Perkins, Secretary of Labor for FDR.

How many people know that Margaret Reha Seddon was the first US woman to achieve the full rank of astronaut, and flew her first space mission aboard the Space Shuttle ''Discovery'' in 1985, twenty three years after the distinguished former Senator from the State of Ohio, John Glenn completed his historic first flight in space?

And I can guarantee you more people know the last person to hit over .400 in baseball—Ted Williams—than can name the first woman elected to Congress—Jeannette Rankin of Montana, who was elected in 1916, four years before ratification of the 19th Amendment gave women the right to vote.

Hardly household names. But they should be. And with a place to showcase their accomplishments, perhaps one day they will take their rightful place beside America's greatest minds, visionary leaders, and groundbreaking figures. But until then, we have a long way to go.

Whatever period of history you chose—women played a role. Sybil Ludington, a 16-year-old, rode through parts of New York and Connecticut in April of 1777 to warn that the Redcoats were coming. Sacajawea, the Shoshone Indian guide, helped escort Lewis and Clark on their 8000 mile expedition. Rosa Parks, Jo Ann Robinson and Myrlie Evers played important roles in the civil rights movement in the 50's and 60's. And as we move into the 21st century, the role of women—who now make up 52 percent of the population—will continue to be integral to the future success of this country.

In fact the real question about the building of a women's museum is not so much where it will be built—although that remains to be explored. And it's not even who will pay for it—as I've said, it will be done entirely with private funds. The real question when it comes to a museum dedicated to women's history is, where will they put it all!

I would argue that we have a solemn responsibility to teach our children, and ourselves, about our rich past—and that includes the myriad contributions of women, in all fields and every endeavor. These women can serve as role models and inspire our youth. They can teach us about our past and guide us into our future. They can even prompt young women to consider a career in public service—as Senator Smith of Maine did for me.

Instead, today in America, more young women probably know the names of the latest super models then the names of the female members of this Administration's Cabinet. That is why we need a National Museum of Women's History, that is why I am proud to sponsor this legislation, and that is why I hope that my colleagues will join us in supporting the creation of this Advisory Committee as a first step toward writing the forgotten chapters of the history of our nation.●

By Mr. DEWINE (for himself, Mr. ROCKEFELLER, Mr. CHAFEE, Ms. LANDRIEU, Mr. LEVIN, Mr. KERRY, and Mr. KERREY):

S. 708. A bill to improve the administrative efficiency and effectiveness of the Nation's abuse and neglect courts and the quality and availability of training for judges, attorneys, and volunteers working in such courts, and for other purposes consistent with the Adoption and Safe Families Act of 1997; to the Committee on the Judiciary.

THE STRENGTHENING ABUSE AND NEGLECT COURTS ACT OF 1999

Mr. DEWINE. Mr. President, I rise today to introduce the Strengthening Abuse and Neglect Courts Act of 1999, a bill to improve the administrative efficiency and effectiveness of the juvenile and family courts, as well as the quality and availability of training for judges, attorneys and guardian ad litems. I am joined in this introduction by Senator ROCKEFELLER, and I thank him for all of his hard work on behalf of abused and neglected children and I look forward to working with him as we move forward with this legislation.

I have been involved with children's issues for over two decades, not just as the father of eight, but also as a local county elected official. I know the kinds of problems that exist at the ground level, and I think it's very important that we work together to address them.

This is especially true today, as opposed to a couple of years ago, because the child welfare agencies and the

courts have an important new task—the implementation of the Adoption and Safe Families Act.

Almost one and a half years ago, Congress passed this historic piece of legislation, which was designed to encourage safe and permanent family placements for abused and neglected children—and to decrease the amount of time that a child spends in the foster care system. With this law, we make it clear that the health and safety of the child must come first when making any decision for a child in the abuse and neglect system. This law shortens the time line for children in foster care. Specifically, the law requires initiation of proceedings to terminate parental rights for any child who has been in the foster care system for 15 of the last 22 months.

These timelines are very important. Foster care was meant to be a temporary solution—but for too many children foster care has become a way of life. However, the institution of these timelines has created additional pressure on an already overburdened court system.

To give you an idea of the burden that already exists, consider this: When the Family Court was established in New York in 1962, it reviewed 96,000 cases the first year. By 1997, the case load had increased to 670,000 cases.

A September 1997 report by the Fund for Modern Courts found that Family Court judges were overburdened and forced to provide, quote, ''assembly line justice''—because they only had a few minutes to review each case. The report found that in Brooklyn, cases receive an average of 4 minutes before a judge on a first appearance and little more than 11 minutes on subsequent appearances. The report concluded that, quote: ''It is easy to understand how a tragedy can result from decisions made based on so little actual time in court.'' End of quote.

And that's not the only problem in the system. In Cuyahoga County, Ohio, the juvenile court identified 3,000 cases that were open, but inactive. In most of these cases, the child had been charged with a minor crime, but never had his or her case scheduled for trial. But more than 100 of these cases involved children who remained in foster care for months or even years, despite the fact that a judge had ordered them to be returned home to their parents.

Another problem faced in Cuyahoga County, and in many other places, is the missing file. Until recently, the court had no central clerk's file, so there was no way of tracking the location of a particular file. If the file could not be found on the day of a hearing or review, it would result in a postponement, adding months to a child's stay in foster care. It is undisputed that children need permanency as quickly as possible. It is simply unconscionable that children should be trapped in foster care by a Dickensian nightmare of paperwork.

And you also have to wonder where the lawyers, case workers and guardians for these children were—and what they were doing as these cases dragged on for months or even years longer than necessary. It is a symptom of the overburdened child welfare system and the lack of resources available for everyone involved —the child welfare agencies, the attorneys, the guardians, the courts. It's not their fault, but it's not tolerable either.

We, collectively—as public servants, and as a society—must do better.

Some abuse and neglect courts have already found innovative ways to eliminate their backlog of cases and move children toward permanency. One example is in Hamilton County, Ohio, where the Juvenile Court, under the leadership of Judge David Grossmann, has instituted a system that successfully has reduced the amount of time a child spends in care. Hamilton County added hearing officers so that more time could be spent on each case—leading to better quality decision making and reduced case loads. The court also developed a computer tracking system so that the judge could have essential information on each case at his or her fingertips, and the ''missing file'' would no longer be a bar to permanency.

The state of Connecticut has also created an innovative way of dealing with the backlog of cases in its child welfare system. The Child Protection Session is a court dedicated to settling the most difficult abuse and neglect cases—contested cases of abuse and neglect and termination of parental rights proceedings. Connecticut has recognized that these types of cases need to be handled expeditiously, and as a result of the special session, these cases are now being handled in months, rather than years, to the benefit of all of the children involved.

The General Accounting Office (GAO) recently reported to Congress the results of its review of juvenile and family courts performance in achieving permanence for children. GAO identified three elements that are essential to successful court reform.

(1) Judicial leadership and collaboration among the child welfare participants.

(2) Timely information regarding the court's operations and processing of cases; and

(3) Sufficient financial resources to initiate and sustain reform.

The Strengthening Abuse and Neglect Courts Act of 1999 incorporates all of these elements. The bill provides competitive grants to courts to create computerized case tracking systems and to encourage the replication and implementation of successful systems in other courts. The bill also provides grants to courts to reduce pending backlogs of abuse and neglect cases so that courts are able to comply with the time lines established in the Adoption and Safe Families Act.

The bill also includes a provision to allow judges, attorneys and court personnel to qualify for training under Title IV–E's existing training provisions. Finally, the bill includes a provision that would expand the CASA program to underserved and urban areas so that more children are able to benefit from its services.

When Congress passed the Adoption and Safe Families Act, I said that the bill is a good start, but that Congress will have to do more to make sure that every child has the opportunity to live in a safe, stable, loving and permanent home. One of the essential ingredients in this process is an efficiently operating court system. After all, that's where a lot of delays occur. As well-intentioned as the strict time lines of the Adoption and Safe Families Act are, mandatory filing dates won't be enough to promote permanency if the court docket is too clogged to move the cases through the system. We need to provide assistance to the courts so that administrative efficiency and effectiveness are improved and the goals of the Adoption and Safe Families Act will be more readily achieved. I encourage my colleagues to support this legislation and I am committed to pushing for its timely consideration.

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

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

S. 708

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 ''Strengthening Abuse and Neglect Courts Act of 1999''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Under both Federal and State law, the courts play a crucial and essential role in the Nation's child welfare system and in ensuring safety, stability, and permanence for abused and neglected children under the supervision of that system.

(2) The Adoption and Safe Families Act of 1997 (Public Law 105–89; 111 Stat. 2115) establishes explicitly for the first time in Federal law that a child's health and safety must be the paramount consideration when any decision is made regarding a child in the Nation's child welfare system.

(3) The Adoption and Safe Families Act of 1997 promotes stability and permanence for abused and neglected children by requiring timely decision-making in proceedings to determine whether children can safely return to their families or whether they should be moved into safe and stable adoptive homes or other permanent family arrangements outside the foster care system.

(4) To avoid unnecessary and lengthy stays in the foster care system, the Adoption and Safe Families Act of 1997 specifically requires, among other things, that States move to terminate the parental rights of the parents of those children who have been in foster care for 15 of the last 22 months.

(5) While essential to protect children and to carry out the general purposes of the Adoption and Safe Families Act of 1997, the accelerated timelines for the termination of parental rights and the other requirements imposed under that Act increase the pressure on the Nation's already overburdened abuse and neglect courts.

(6) The administrative efficiency and effectiveness of the Nation's abuse and neglect courts would be substantially improved by the acquisition and implementation of computerized case-tracking systems to identify and eliminate existing backlogs, to move abuse and neglect caseloads forward in a timely manner, and to move children into safe and stable families. Such systems could also be used to evaluate the effectiveness of such courts in meeting the purposes of the amendments made by, and provisions of, the Adoption and Safe Families Act of 1997.

(7) The administrative efficiency and effectiveness of the Nation's abuse and neglect courts would also be improved by the identification and implementation of projects designed to eliminate the backlog of abuse and neglect cases, including the temporary hiring of additional judges, extension of court hours, and other projects designed to reduce existing caseloads.

(8) The administrative efficiency and effectiveness of the Nation's abuse and neglect courts would be further strengthened by improving the quality and availability of training for judges, court personnel, agency attorneys, guardians ad litem, volunteers who participate in court-appointed special advocate (CASA) programs, and attorneys who represent the children and the parents of children in abuse and neglect proceedings.

(9) While recognizing that abuse and neglect courts in this country are already committed to the quality administration of justice, the performance of such courts would be even further enhanced by the development of models and educational opportunities that reinforce court projects that have already been developed, including models for caseflow procedures, case management, representation of children, automated interagency interfaces, and ''best practices'' standards.

(10) Judges, magistrates, commissioners, and other judicial officers play a central and vital role in ensuring that proceedings in our Nation's abuse and neglect courts are run efficiently and effectively. The performance of those individuals in such courts can only be further enhanced by training, seminars, and an ongoing opportunity to exchange ideas with their peers.

(11) Volunteers who participate in court-appointed special advocate (CASA) programs play a vital role as the eyes and ears of abuse and neglect courts in proceedings conducted by, or under the supervision of, such courts and also bring increased public scrutiny of the abuse and neglect court system. The Nation's abuse and neglect courts would benefit from an expansion of this program to currently underserved communities.

(12) Improved computerized case-tracking systems, comprehensive training, and development of, and education on, model abuse and neglect court systems, particularly with respect to underserved areas, would significantly further the purposes of the Adoption and Safe Families Act of 1997 by reducing the average length of an abused and neglected child's stay in foster care, improving the quality of decision-making and court services provided to children and families, and increasing the number of adoptions.

SEC. 3. DEFINITIONS.

In this Act:

(a) ABUSE AND NEGLECT COURTS.—The term ''abuse and neglect courts'' means the State and local courts that carry out State or local laws requiring proceedings (conducted by or under the supervision of the courts)—

(1) that implement part B and part E of title IV of the Social Security Act (42 U.S.C. 620 et seq.; 670 et seq.) (including preliminary disposition of such proceedings);

(2) that determine whether a child was abused or neglected;

(3) that determine the advisability or appropriateness of placement in a family foster home, group home, or a special residential care facility; or

(4) that determine any other legal disposition of a child in the abuse and neglect court system.

(b) AGENCY ATTORNEY.—The term ''agency attorney'' means an attorney or other individual, including any government attorney, district attorney, attorney general, State attorney, county attorney, city solicitor or attorney, corporation counsel, or privately retained special prosecutor, who represents the State or local agency administrating the programs under parts B and E of title IV of the Social Security Act (42 U.S.C. 620 et seq.; 670 et seq.) in a proceeding conducted by, or under the supervision of, an abuse and neglect court, including a proceeding for termination of parental rights.

(c) ATTORNEY REPRESENTING A CHILD.—The term ''attorney representing a child'' means an attorney or a guardian ad litem who represents a child in a proceeding conducted by, or under the supervision of, an abuse and neglect court.

(d) ATTORNEY REPRESENTING A PARENT.—The term ''attorney representing a parent'' means an attorney who represents a parent who is an official party to a proceeding conducted by, or under the supervision of, an abuse and neglect court.

SEC. 4. GRANTS TO STATE COURTS AND LOCAL COURTS TO AUTOMATE THE DATA COLLECTION AND TRACKING OF PROCEEDINGS IN ABUSE AND NEGLECT COURTS.

(a) AUTHORITY TO AWARD GRANTS.—

(1) IN GENERAL.—Subject to paragraph (2), the Attorney General, acting through the Office of Juvenile Justice and Delinquency Prevention of the Office of Justice Programs, shall award grants in accordance with this section to State courts and local courts for the purposes of—

(A) enabling such courts to develop and implement automated data collection and case-tracking systems for proceedings conducted by, or under the supervision of, an abuse and neglect court;

(B) encouraging the replication of such systems in abuse and neglect courts in other jurisdictions; and

(C) requiring the use of such systems to evaluate a court's performance in implementing the requirements of parts B and E of title IV of the Social Security Act (42 U.S.C. 620 et seq.; 670 et seq.).

(2) LIMITATIONS.—

(A) NUMBER OF GRANTS.—Not less than 20 nor more than 50 grants may be awarded under this section.

(B) PER STATE LIMITATION.—Not more than 2 grants authorized under this section may be awarded per State.

(C) USE OF GRANTS.—Funds provided under a grant made under this section may only be used for the purpose of developing, implementing, or enhancing automated data collection and case-tracking systems for proceedings conducted by, or under the supervision of, an abuse and neglect court.

(b) APPLICATION.—

(1) IN GENERAL.—A State court or local court may submit an application for a grant authorized under this section at such time and in such manner as the Attorney General may determine.

(2) INFORMATION REQUIRED.—An application for a grant authorized under this section shall contain the following:

(A) A description of a proposed plan for the development, implementation, and maintenance of an automated data collection and case-tracking system for proceedings conducted by, or under the supervision of, an abuse and neglect court, including a proposed budget for the plan and a request for a specific funding amount.

(B) A description of the extent to which such plan and system are able to be replicated in abuse and neglect courts of other jurisdictions that specifies the common case-tracking data elements of the proposed system, including, at a minimum—

(i) identification of relevant judges, court, and agency personnel;

(ii) records of all court proceedings with regard to the abuse and neglect case, including all court findings and orders (oral and written); and

(iii) relevant information about the subject child, including family information and the reason for court supervision.

(C) In the case of an application submitted by a local court, a description of how the plan to implement the proposed system was developed in consultation with related State courts, particularly with regard to a State court improvement plan funded under section 13712 of the Omnibus Budget Reconciliation Act of 1993 (42 U.S.C. 670 note) if there is such a plan in the State.

(D) In the case of an application that is submitted by a State court, a description of how the proposed system will integrate with a State court improvement plan funded under section 13712 of such Act if there is such a plan in the State.

(E) After consultation with the State agency responsible for the administration of parts B and E of title IV of the Social Security Act (42 U.S.C. 620 et seq.; 670 et seq.)—

(i) a description of the coordination of the proposed system with other child welfare data collection systems, including the Statewide automated child welfare information system (SACWIS) and the adoption and foster care analysis and reporting system (AFCARS) established pursuant to section 479 of the Social Security Act (42 U.S.C. 679); and

(ii) an assurance that such coordination will be implemented and maintained.

(F) Identification of an independent third party that will conduct ongoing evaluations of the feasibility and implementation of the plan and system and a description of the plan for conducting such evaluations.

(G) A description or identification of a proposed funding source for completion of the plan (if applicable) and maintenance of the system after the conclusion of the period for which the grant is to be awarded.

(H) An assurance that any contract entered into between the State court or local court and any other entity that is to provide services for the development, implementation, or maintenance of the system under the proposed plan will require the entity to agree to allow for replication of the services provided, the plan, and the system, and to refrain from asserting any proprietary interest in such services for purposes of allowing the plan and system to be replicated in another jurisdiction.

(I) An assurance that the system established under the plan will provide data that allows for evaluation (at least on an annual basis) of the following information:

(i) The total number of cases that are filed in the abuse and neglect court.

(ii) The number of cases assigned to each judge who presides over the abuse and neglect court.

(iii) The average length of stay of children in foster care.

(iv) With respect to each child under the jurisdiction of the court—

(I) the number of episodes of placement in foster care;

(II) the number of days placed in foster care and the type of placement (foster family home, group home, or special residential care facility);

(III) the number of days of in-home supervision; and

(IV) the number of separate foster care placements.

(v) The number of adoptions, guardianships, or other permanent dispositions finalized.

(vi) The number of terminations of parental rights.

(vii) The number of child abuse and neglect proceedings closed that had been pending for 2 or more years.

(viii) With respect to each proceeding conducted by, or under the supervision of, an abuse and neglect court—

(I) the timeliness of each stage of the proceeding from initial filing through legal finalization of a permanency plan (for both contested and uncontested hearings);

(II) the number of adjournments, delays, and continuances occurring during the proceeding, including identification of the party requesting each adjournment, delay, or continuance and the reasons given for the request;

(III) the number of courts that conduct or supervise the proceeding for the duration of the abuse and neglect case;

(IV) the number of judges assigned to the proceeding for the duration of the abuse and neglect case; and

(V) the number of agency attorneys, children's attorneys, parent's attorneys, guardians ad litem, and volunteers participating in a court-appointed special advocate (CASA) program assigned to the proceeding during the duration of the abuse and neglect case.

(J) A description of how the proposed system will reduce the need for paper files and ensure prompt action so that cases are appropriately listed with national and regional adoption exchanges, and public and private adoption services.

(K) An assurance that the data collected in accordance with subparagraph (I) will be made available to relevant Federal, State, and local government agencies and to the public.

(L) An assurance that the proposed system is consistent with other civil and criminal information requirements of the Federal government.

(M) An assurance that the proposed system will provide notice of timeframes required under the Adoption and Safe Families Act of 1997 (Public Law 105–89; 111 Stat. 2115) for individual cases to ensure prompt attention and compliance with such requirements.

(c) CONDITIONS FOR APPROVAL OF APPLICATIONS.—

(1) MATCHING REQUIREMENT.—

(A) IN GENERAL.—A State court or local court awarded a grant under this section shall expend $1 for every $3 awarded under the grant to carry out the development, implementation, and maintenance of the automated data collection and case-tracking system under the proposed plan.

(B) WAIVER FOR HARDSHIP.—The Attorney General may waive or modify the matching requirement described in subparagraph (A) in the case of any State court or local court that the Attorney General determines would suffer undue hardship as a result of being subject to the requirement.

(C) NON-FEDERAL EXPENDITURES.—

(i) CASH OR IN KIND.—State court or local court expenditures required under subparagraph (A) may be in cash or in kind, fairly evaluated, including plant, equipment, or services.

(ii) NO CREDIT FOR PRE-AWARD EXPENDITURES.—Only State court or local court expenditures made after a grant has been awarded under this section may be counted for purposes of determining whether the State court or local court has satisfied the matching expenditure requirement under subparagraph (A).

(2) NOTIFICATION TO STATE OR APPROPRIATE CHILD WELFARE AGENCY.—No application for a grant authorized under this section may be approved unless the State court or local court submitting the application demonstrates to the satisfaction of the Attorney General that the court has provided the State, in the case of a State court, or the appropriate child welfare agency, in the case of a local court, with notice of the contents and submission of the application.

(3) CONSIDERATIONS.—In evaluating an application for a grant under this section the Attorney General shall consider the following:

(A) The extent to which the system proposed in the application may be replicated in other jurisdictions.

(B) The extent to which the proposed system is consistent with the provisions of, and amendments made by, the Adoption and Safe Families Act of 1997 (Public Law 105–89; 111 Stat. 2115), and parts B and E of title IV of the Social Security Act (42 U.S.C. 620 et seq.; 670 et seq.).

(C) The extent to which the proposed system is feasible and likely to achieve the purposes described in subsection (a)(1).

(4) DIVERSITY OF AWARDS.—The Attorney General shall award grants under this section in a manner that results in a reasonable balance among grants awarded to State courts and grants awarded to local courts, grants awarded to courts located in urban areas and courts located in rural areas, and grants awarded in diverse geographical locations.

(d) LENGTH OF AWARDS.—No grant may be awarded under this section for a period of more than 5 years.

(e) AVAILABILITY OF FUNDS.—Funds provided to a State court or local court under a grant awarded under this section shall remain available until expended without fiscal year limitation.

(f) REPORTS.—

(1) ANNUAL REPORT FROM GRANTEES.—Each State court or local court that is awarded a grant under this section shall submit an annual report to the Attorney General that contains—

(A) a description of the ongoing results of the independent evaluation of the plan for, and implementation of, the automated data collection and case-tracking system funded under the grant; and

(B) the information described in subsection (b)(2)(I).

(2) INTERIM AND FINAL REPORTS FROM ATTORNEY GENERAL.—

(A) INTERIM REPORTS.—Beginning 2 years after the date of enactment of this Act, and biannually thereafter until a final report is submitted in accordance with subparagraph (B), the Attorney General shall submit to Congress interim reports on the grants made under this section.

(B) FINAL REPORT.—Not later than 90 days after the termination of all grants awarded under this section, the Attorney General shall submit to Congress a final report evaluating the automated data collection and case-tracking systems funded under such grants and identifying successful models of such systems that are suitable for replication in other jurisdictions. The Attorney General shall ensure that a copy of such final report is transmitted to the highest State court in each State.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $10,000,000 for the period of fiscal years 2000 through 2004.

SEC. 5. GRANTS TO REDUCE PENDING BACKLOGS OF ABUSE AND NEGLECT CASES TO PROMOTE PERMANENCY FOR ABUSED AND NEGLECTED CHILDREN.

Part E of title IV of the Social Security Act (42 U.S.C. 670 et seq.) is amended by adding at the end the following:

"SEC. 479B. GRANTS TO REDUCE BACKLOGS OF ABUSE AND NEGLECT CASES.

''(a) IN GENERAL.—Subject to the amount appropriated under subsection (f), the Secretary shall make grants to State courts or local courts for the purposes of—

''(1) promoting the permanency goals established in the Adoption and Safe Families Act of 1997 (Public Law 105–89; 111 Stat. 2115); and

''(2) enabling such courts to reduce existing backlogs of cases pending in abuse and neglect courts, especially with respect to cases to terminate parental rights and cases in which parental rights to a child have been terminated but an adoption of the child has not yet been finalized.

''(b) APPLICATION.—A State court or local court shall submit an application for a grant under this section, in such form and manner as the Secretary shall require, that contains a description of the following:

''(1) The barriers to achieving the permanency goals established in the Adoption and Safe Families Act of 1997 that have been identified.

''(2) The size and nature of the backlogs of children awaiting termination of parental rights or finalization of adoption.

''(3) The strategies the State court or local court proposes to use to reduce such backlogs and the plan and timetable for doing so.

''(4) How the grant funds requested will be used to assist the implementation of the strategies described in paragraph (3).

''(c) USE OF FUNDS.—Funds provided under a grant awarded under this section may be used for any purpose that the Secretary determines is likely to successfully achieve the purposes described in subsection (a), including temporarily—

''(1) establishing night court sessions for abuse and neglect courts;

''(2) hiring additional judges, magistrates, commissioners, hearing officers, referees, special masters, and other judicial personnel for such courts;

''(3) hiring personnel such as clerks, administrative support staff, case managers, mediators, and attorneys for such courts; or

''(4) extending the operating hours of such courts.

''(d) NUMBER OF GRANTS.—Not less than 15 nor more than 20 grants shall be awarded under this section.

''(e) AVAILABILITY OF FUNDS.—Funds awarded under a grant made under this section shall remain available for expenditure by a grantee for a period not to exceed 3 years from the date of the grant award.

''(f) REPORT ON USE OF FUNDS.—Not later than the date that is halfway through the period for which a grant is awarded under this section, and 90 days after the end of such period, a State court or local court awarded a grant under this section shall submit a report to the Secretary that includes the following:

''(1) The barriers to the permanency goals established in the Adoption and Safe Families Act of 1997 that are or have been addressed with grant funds.

''(2) The nature of the backlogs of children that were pursued with grant funds.

''(3) The specific strategies used to reduce such backlogs.

''(4) The progress that has been made in reducing such backlogs, including the number of children in such backlogs—

''(A) whose parental rights have been terminated; and

''(B) whose adoptions have been finalized.

''(5) Any additional information that the Secretary determines would assist jurisdictions in achieving the permanency goals established in the Adoption and Safe Families Act of 1997.

''(g) DEFINITION OF ABUSE AND NEGLECT COURT.—In this section, the term 'abuse and neglect court' has the meaning given that term in section 3(a) of the Strengthening Abuse and Neglect Courts Act of 1999.

''(h) APPROPRIATION.—Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated for fiscal year 2000 $10,000,000 for the purpose of making grants under this section.''.

SEC. 6. TRAINING IN CHILD ABUSE AND NEGLECT PROCEEDINGS.

(a) IN GENERAL.—Section 474(a)(3) of the Social Security Act (42 U.S.C. 674(a)(3)) is amended—

(1) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (D), (E), and (F), respectively; and

(2) by inserting after subparagraph (B), the following:

''(C) 75 percent of so much of such expenditures as are for the training (including cross-training with personnel employed by, or under contract with, the State or local agency administering the plan in the political subdivision, training on topics relevant to the legal representation of clients in proceedings conducted by or under the supervision of an abuse and neglect court (as defined in section 3(a) of the Strengthening Abuse and Neglect Courts Act of 1999), and training on related topics such as child development and the importance of developing a trusting relationship with a child) of judges, judicial personnel, law enforcement personnel, agency attorneys (as defined in section 3(b) of such Act), attorneys representing parents in proceedings conducted by, or under the supervision of, an abuse and neglect court (as so defined), attorneys representing children in such proceedings, guardians ad litem, and volunteers who participate in court-appointed special advocate (CASA) programs, to the extent such training is related to provisions of, and amendments made by, the Adoption and Safe Families Act of 1997 (Public Law 105–89; 111 Stat. 2115), provided that any such training that is offered to judges or other judicial personnel shall be offered by, or under contract with, the State or local agency in collaboration with the judicial conference or other appropriate judicial governing body operating in the State,''.

(b) CONFORMING AMENDMENTS.—

(1) Section 473(a)(6)(B) of such Act (42 U.S.C. 673(a)(6)(B)) is amended by striking ''474(a)(3)(E)'' and inserting ''474(a)(3)(F)''.

(2) Section 474(a)(3)(D) of such Act (42 U.S.C. 674(a)(3)(D)) (as redesignated by paragraph (1)(A)) is amended by striking ''subparagraph (C)'' and inserting ''subparagraph (D)''.

(3) Section 474(c) of such Act (42 U.S.C. 674(c)) is amended by striking ''subsection (a)(3)(C)'' and inserting ''subsection (a)(3)(D)''.

SEC. 7. STATE STANDARDS FOR AGENCY ATTORNEYS.

Section 471(a) of the Social Security Act (42 U.S.C. 671(a)) is amended—

(1) in paragraph (22), by striking ''and'' at the end;

(2) in paragraph (23), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(24) provides that, not later than January 1, 2001, the State shall develop and encourage the implementation of guidelines for all agency attorneys (as defined in section 3(b) of the Strengthening Abuse and Neglect Courts Act of 1999), including legal education requirements for such attorneys regarding the handling of abuse, neglect, and dependency proceedings.''.

SEC. 8. TECHNICAL ASSISTANCE FOR CHILD ABUSE, NEGLECT, AND DEPENDENCY MATTERS.

(a) IN GENERAL.—The Secretary of Health and Human Services, in coordination with the Attorney General, shall provide the technical assistance, training, and evaluations authorized under this section through grants, contracts, or cooperative arrangements with other entities, including universities, and national, State, and local organizations. The Secretary of Health and Human Services and the Attorney General should ensure that entities that have not had a previous contractual relationship with the Department of Health and Human Services, the Department of Justice, or another Federal agency can compete for grants for technical assistance, training, and evaluations.

(b) PURPOSE.—Technical assistance shall be provided under this section for the purpose of supporting and assisting State and local courts that handle child abuse, neglect, and dependency matters to effectively carry out new responsibilities enacted as part of the Adoption and Safe Families Act of 1997 (Public Law 105–89; 111 Stat. 2115) and to speed the process of adoption of children and legal finalization of permanent families for children in foster care by improving practices of the courts involved in that process.

(c) ACTIVITIES.—Technical assistance consistent with the purpose described in subsection (b) may be provided under this section through the following:

(1) The dissemination of information, existing and effective models, and technical assistance to State and local courts that receive grants under section 4 concerning the automated data collection and case-tracking systems and outcome measures required under that section.

(2) The provision of specialized training on child development that is appropriate for judges, referees, nonjudicial decision-makers, administrative, and other court-related personnel, and for agency attorneys, attorneys representing children, guardians ad litem, volunteers who participate in court-appointed special advocate (CASA) programs, or parents.

(3) The provision of assistance and dissemination of information about best practices of abuse and neglect courts for effective case management strategies and techniques, including automated data collection and case-tracking systems, assessments of caseload and staffing levels, management of court dockets, timely decision-making at all stages of a proceeding conducted by, or under the supervision of, an abuse and neglect court, and the development of streamlined case flow procedures, case management models, early case resolution programs, mechanisms for monitoring compliance with the terms of court orders, models for representation of children, automated interagency interfaces between data bases, and court rules that facilitate timely case processing.

(4) The development and dissemination of training models for judges, attorneys representing children, agency attorneys, guardians ad litem, and volunteers who participate in court-appointed special advocate (CASA) programs.

(5) The development of standards of practice for agency attorneys, attorneys representing children, guardians ad litem, volunteers who participate in court-appointed special advocate (CASA) programs, and parents in such proceedings.

(d) TRAINING REQUIREMENT.—Any training offered in accordance with this section to judges or other judicial personnel shall be offered in collaboration with the judicial conference or other appropriate judicial governing body operating with respect to the State in which the training is offered.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to carry out this section $5,000,000 for the period of fiscal years 2000 through 2004.

SEC. 9. GRANTS TO EXPAND THE COURT-APPOINTED SPECIAL ADVOCATE PROGRAM IN UNDERSERVED AREAS.

(a) GRANTS TO EXPAND CASA PROGRAMS IN UNDERSERVED AREAS.—The Administrator of the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice shall make a grant to the National Court-Appointed Special Advocate Association for the purposes of—

(1) expanding the recruitment of, and building the capacity of, court-appointed special advocate programs located in the 15 largest urban areas;

(2) developing regional, multijurisdictional court-appointed special advocate programs serving rural areas; and

(3) providing training and supervision of volunteers in court-appointed special advocate programs.

(b) LIMITATION ON ADMINISTRATIVE EXPENDITURES.—Not more than 5 percent of the grant made under this subsection may be used for administrative expenditures.

(c) DETERMINATION OF URBAN AND RURAL AREAS.—For purposes of administering the grant authorized under this subsection, the Administrator of the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice shall determine whether an area is one of the 15 largest urban areas or a rural area in accordance with the practices of, and statistical information compiled by, the Bureau of the Census.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to make the grant authorized under this section, $5,000,000 for fiscal year 2000.

• Mr. ROCKEFELLER. Mr. President, I rise today to join Mr. DEWINE in his introduction of the *Strengthening Abuse and Neglect Courts Act.* I would like to thank Mr. DEWINE for his leadership on behalf of vulnerable children, including our bipartisan work on this legislation. Work on this legislation is based on the bipartisan work of the Senate coalition that supported the 1997 Adoption and Safe Families Act.

A unique bipartisan coalition formed in 1997 worked hard to forge consensus on the Adoption and Safe Families Act of 1997. This law, for the first time ever, establishes that a child's health and safety must be paramount when any decisions are made regarding children in the abuse and neglect system. The law was the most sweeping and comprehensive piece of child welfare legislation passed in over a decade. It promotes safety, stability and permanence for all abused and neglected children and requires timely decision-making in all proceedings to determine whether children can safely return home, or whether they should be moved to permanent, adoptive homes. More specifically, the law requires a State to move to terminate the parental rights of any parent whose child has been in foster care for 15 out of the last 22 months.

Throughout the process of developing the Adoption Act we heard about the vital role the Nation's abuse and neglect courts play in achieving the goals of safety and permanence for children. We also heard that these courts were seriously overburdened and challenged by insufficient resources. Now, nearly a year and a half after the passage of the law, courts are struggling to meet the guidelines. Judges and child welfare professionals in my state of West Virginia tell me that the law is helping move children through the system more quickly, that the accelerated timelines are, indeed, essential for the protection of children, and that the effect of this is that the courts are becoming even more overburdened. We are hearing this same type of feedback from other judges and child advocates around the country.

These courts—and the judges, lawyers and other court personnel—make some of the most difficult and important decisions made by any members of the judiciary. Adjudications of abuse and neglect, terminations of parental rights, approval of adoptions, and life-changing determinations require the appropriate level of information, thoughtfulness and care. Judges throughout the country, like West Virginia's Chief Justice Margaret Workman, are committed to the fair and efficient administration of justice in these cases. In 1987, just over 2 million children, nationally, were reported or neglected. By 1997, this number had swelled to well over 3 million children. During this period, my own state of West Virginia experienced a 100% increase in child abuse cases. These staggering increases in child abuse have placed an unconscionable burden on these courts.

Working within their own communities, judges, attorneys, volunteers from the Court Appointed Special Advocates (CASA) programs and others have found creative and effective new ways to eliminate their caseload backlogs and move children more efficiently and safely through the court system. In West Virginia, Judge Workman and others have developed a comprehensive plan to increase the accountability and efficient administration of abuse and neglect cases. In Cincinatti, Ohio, Judge Grossman's abuse and neglect courts have implemented state-of-the-art computer tracking systems which help them smooth the legal paths of children in foster care.

Even when courts have the dedication and initiative to implement these innovative reforms, they simply cannot do it without sufficient resources. The purpose of the Strengthening Abuse and Neglect Courts Act is to help remove the burdens on an ever greater number of courts by increasing both their efficiency and their effectiveness. The bill provides much needed resources and allows state and local communities the flexibility to develop their own solutions to administrative problems and caseload backlogs. In January of this year, the General Accounting Office released a report conducted at the request of Ways and Means Subcommittee on Human Resources Chairman SHAW, which concluded that there are three essential ingredients for successful court reform, all of which are incorporated in this Act. There are four ways this bill will help abuse and neglect courts better serve children and families.

The bill first provides a program of grants to states and local courts for the implementation of computerized case-tracking systems, similar to the one Judge Grossman created in Ohio. Through the establishment of such systems, courts are able to more easily track how long a child spends in foster care and the status of their cases. When courts have such ''user-friendly'' access to vital case information children truly benefit—they move more quickly through foster care and on to adoptive homes or other permanent placements. This grant program will enable state and local courts to design similar computer systems, to replicate models that have proven successful in other jurisdictions and to receive technical assistance as they implement their new programs.

A second important provision of the bill is the grant program that provides State and local courts the resources they need to eliminate the backlog of abuse and neglect cases. Throughout the discussions on the Adoption and Safe Families Act, we heard from dozens of judges and advocates who said that far and away the biggest problem facing their courts was the overwhelming backlog of these cases. Without creative ways to eliminate these backlogs, and with the tightened timeframes we created with the new law, the judges emphasized that children's cases will simply not move through the court system in a timely manner. Each court may have their own effective approach to eliminating such backlogs. For some, hiring additional staff may be necessary. For others, creating a ''Night Court'' or ''Saturday Court'' to hear these cases would work. Still others may need to restructure duties of court personnel. This bill will provide grants to those court projects that are designed to result in the effective and rapid elimination of current backlogs to smooth the way for more efficient courts in the future.

The Strengthening Abuse and Neglect Courts Act also recognizes that judges, attorneys, court personnel, law enforcement representatives, guardians-ad-litem and all others who participate in abuse and neglect proceedings can benefit from continuing education opportunities, improved training and the development of models for effective practice in these settings. The Act, therefore, extends federal reimbursement for training that is currently provided to agency caseworkers to judges, attorneys and key court personnel who must make decision effecting the lives and future of vulnerable children. In addition to this basic, necessary training for court personnel, we hope it will also foster between cooperation between child welfare agencies and court personnel that is imperative to make system work to ensure the health and safety of children.

Finally, the bill provides for an expansion of the successful CASA—Court Appointed Special Advocates—volunteer program. This superb volunteer program has demonstrated its ability to improve outcomes for abused and neglected children. CASA are volunteers specially trained to speak for the best interests of children who have been abused or neglected. There are over 710 CASA programs nationwide, whose volunteers represented nearly 200,000 children last year alone. Recently, the Department of Justice recognized CASA as an ''Exemplary Program''. CASA has been operating in West Virginia since 1991 with programs currently serving children in 13 of our counties. Of course, there is more work to be done so that children in all 55 West Virginia counties, and all underserved areas throughout the country can benefit from the services of these trained and dedicated volunteers. In fact, despite CASA's phenomenal volunteer commitment and national praise by courts, and community leaders, 70% of the children in foster care are still without CASA representation. This bill will begin to address this gap by providing a $5 million grant to expand its programs into under-served areas and to improve its ability to recruit, train and supervise volunteers.

When we talk about how to help abused and neglected children in this country, our abuse and neglect courts are too often left out of the discussion. With the numbers of abused and neglected children rising dramatically—in West Virginia alone child abuse reports have doubled—from 13,000 in 1986 to over 26,000 in 1996—we need to include every system in our efforts to make a difference. The courts play a crucial role and I am confident that the Strengthening Abuse and Neglect Courts Act will be a valuable step in making our courts stronger, more efficient and more able to effectively address the needs of our Nation's most vulnerable children. I ask that my colleagues join us in this important effort.

I ask that a fact sheet about the bill be printed in the RECORD.

The material follows:

FACT SHEET—STRENGTHENING ABUSE AND NEGLECT ACT OF 1999

A bill to improve the administrative efficiency and effectiveness of the Nation's abuse and neglect courts and the quality and availability of training for judges, attorneys, and volunteers working in such courts, and for other purposes consistent with the Adoption and Safe Families Act of 1997.

SECTION 1, 3, & 3: TITLE, FINDINGS, AND DEFINITIONS

The Strengthening Abuse and Neglect Courts Act of 1999

SECTION 4: GRANTS TO COURTS FOR COMPUTER AUTOMATION AND CASE TRACKING SYSTEMS

A program to provide competitive state and local grants to abuse and neglect courts to create computerized case tracking systems, and to encourage the replication and implementation of successful systems in other court systems. Grant will be awarded based on eligibility criteria designed to encourage applications from both state and local courts, and a balance of urban and rural courts. Guidelines will also ensure that successful models can be disseminated to other courts. Applicants will need to include evaluation plans as part of the grant request.

Grant program is $10 million, with a 25% state matching requirement, but a hardship exemption.

SECTION 5: GRANTS TO REDUCE BACKLOGS OF ABUSE AND NEGLECT CASES

A program to provide grants to court systems to reduce pending backlogs of abuse and neglect cases so that courts are able to comply with the time frames established in the Adoption and Safe Families Act. Competitive grants will be awarded to court systems to reduce backlogs by using night court sessions, hiring additional personnel to manage reduce caseloads, or other innovative strategies.

Grant program is $10 million, and courts can use funding for up to 3 years.

SECTION 6: TRAINING FOR JUDGES AND COURT PERSONNEL

A provision to allow judges, attorneys, and court personnel to qualify for training under Title IV–E's existing training provisions, which is a federal-state matching program set at 75%–25%.

CBO to score provision.

SECTION 7: STATE STANDARDS FOR AGENCY ATTORNEYS

States shall develop and encourage by January 1, 2001, basic guidelines for education and training needed to handle abuse and neglect cases within the state and local court systems.

SECTION 8: TECHNICAL ASSISTANCE FOR CHILD ABUSE, NEGLECT AND DEPENDENCY MATTERS

A program for competitive grants, administered by HHS in coordination with the Attorney General, to provide technical assistance to state and local courts to carry out their new responsibilities, including efforts to speed the process of adoption of children.

Technical assistance will be $5 million for each year, from 2000 to 2004, for a five year total of $25 million.

SECTION 9: GRANTS TO EXPAND THE COURT-APPOINTED SPECIAL ADVOCATES (CASA) PROGRAM IN UNDERSERVED AREAS

A special grant program to expand the well-respected CASA program to the most needy areas, including the 15 largest urban areas and regional programs for rural areas.

A single start up grant of $5 million in 2000.

By Mr. MURKOWSKI (for himself and Mr. DASCHLE):

S. 709. A bill to amend the Housing and Community Development Act of 1974 to establish and sustain viable rural and remote communities, and to provide affordable housing and community development assistance to rural areas with excessively high rates of outmigration and low per capital income levels; to the Committee on Banking, Housing, and Urban Affairs.

THE RURAL AND REMOTE COMMUNITY FAIRNESS ACT

Mr. MURKOWSKI. Mr. President, today I rise to introduce the Rural and Remote Community Fairness Act. This Act will lead to a brighter future for rural and remote communities by establishing three new programs that will address the unique economic and environmental challenges faced by small communities in rural and remote areas across this country. I am pleased that this legislation is co-sponsored by the Minority Leader, Senator DASCHLE.

The bill authorizes up to $100 million a year in grant aid from 2000 through 2006 for any communities across the nation with populations of less than 10,000 which face electric rates in excess of 150 percent of the national average retail price. The money can go for electricity system improvements, energy efficiency and weatherization efforts, water and sanitation improvements or work to solve leaking fuel storage tanks.

The bill also amends the Rural Electrification Act to authorize Rural and Remote Electrification Grants of an additional $20 million a year to the same communities. The grants can be used to increase energy efficiency, lower electricity rates or provide for the modernization of electric facilities.

The bill also establishes a new program providing rural recovery community development block grants. This will provide for the development and maintenance of viable rural areas through the provision of affordable housing and community development assistance for rural areas with excessively high rates of outmigration and low per capita income levels.

This nation has well-established programs for community development grants. The majority of these programs were established to help resolve the very real problems found in this Nation's urban areas. However, our most rural and remote communities experience different, but equally real, problems that are not addressed by existing law. Not only are these communities generally ineligible for the existing programs, their unique challenges, while sometimes similar to those experienced by urban areas, require a different focus and approach.

The biggest single economic problem facing small communities is the expense of establishing a modern infrastructure. These costs, which are always substantial, are exacerbated in remote and rural areas. The existence of this infrastructure, including efficient housing, electricity, bulk fuel storage, waste water and water service, is a necessity for the health and welfare of our children, the development of a prosperous economy and minimizing environmental problems.

There is a real cost in human misery and to the health and welfare of everyone, especially our children and our elderly from poor or polluted water or bad housing or an inefficient power system. Hepatitis B infections in rural Alaska are five times more common than in urban Alaska. We just have to do better if we are to bring our rural communities into the 21 Century.

The experience of many of Alaskans is a perfect example. Most small communities or villages in Alaska are not interconnected to an electricity grid, and rely upon diesel generators for their electricity. Often, the fuel can only be delivered by barge or airplane, and is stored in tanks. These tanks are expensive to maintain, and in many cases, must be completely replaced to prevent leakage of fuel into the environment. While the economic and environmental savings clearly justify the construction of new facilities, these communities simply don't have the ability to raise enough capital to make the necessary investments.

As a result, these communities are forced to bear an oppressive economic and environmental burden that can be eased with a relatively small investment on the part of the Federal government. I can give you some examples: in Manley Hot Springs, Alaska, the citizens pay almost 70 cents per kilowatt hour for electricity. In Igiugig, Kokhanok, Akiachak Native Community, and Middle Kuskokwim, consumers all pay over 50 cents per kilowatt hour for electricity. The national average is around 7 cents per kilowatt hour.

Further, in Alaska, for example, many rural villages still lack modern water and sewer sanitation systems taken for granted in all other areas of America. According to a Federal Field Working Group, 190 of the state's villages have ''unsafe'' sanitation systems, 135 villages still using ''honey buckets'' for waste disposal. Only 31 villages have a fully safe, piped water system; 71 villages having only one central watering source.

These are not only an Alaskan problem. The highest electricity rates in America are paid by a small community in Missouri, and communities in Maine, as well as islands in Rhode Island and New York will likely qualify for this program. Providing safe drinking water and adequate waste treatment facilities is a problem for very small communities all across this land.

What will this Act do to address these problems? First, the Act authorizes $100 million per year for the years 2000–2006 for block grants to communities of under 10,000 inhabitants who pay more than 150% of the national average retail price for electricity.

The grants will be allocated by the Secretary of Housing and Urban Development among eligible communities proportionate to cost of electricity in the community, as compared to the National average. The communities may use the grants only for the following eligible activities:

Low-cost weatherization of homes and other buildings;

Construction and repair of electrical generation, transmission, distribution, and related facilities;

Construction, remediation and repair of bulk fuel storage facilities;

Facilities and training to reduce costs of maintaining and operating electrical generation, distribution, transmission, and related facilities;

Professional management and maintenance for electrical generation, distribution and transmission, and related facilities;

Investigation of the feasibility of alternate energy services;

Construction, operation, maintenance and repair of water and waste water services;

Acquisition and disposition of real property for eligible activities and facilities; and

Development of an implementation plan, including administrative costs for eligible activities and facilities.

In addition this bill will amend the Rural Electrification Act of 1936 to authorize Rural and Remote Electrification Grants for $20 million per year for years 2000–2006 for grants to qualified borrowers under the Act that are in rural and remote communities who pay more than 150% of the national average retail price for electricity. These grants can be used to increase energy efficiency, lower electricity rates, or provide or modernize electric facilities.

This Act makes a significant step toward resolving the critical social, economic and environmental problems faced by our Nation's rural and remote communities. I encourage my colleagues to support this legislation.

For the information of the Senate and the public, the bill can also be obtained from the Internet at: http://thomas.loc.gov.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

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

S. 709

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Rural and Remote Community Fairness Act.''

TITLE I—RURAL AND REMOTE COMMUNITY DEVELOPMENT BLOCK GRANTS

The Housing and Community Development Act of 1974 (Public Law 93–383) is amended by inserting at the end the following new title:

''TITLE IX—RURAL AND REMOTE COMMUNITY DEVELOPMENT BLOCK GRANTS

''FINDINGS AND PURPOSE

''SEC. 901. (a) FINDINGS.—The Congress finds and declares that—

''(1) a modern infrastructure, including efficient housing, electricity, bulk fuel, waste water and water service, is a necessary ingredient of a modern society and development of a prosperous economy with minimal environmental impacts;

''(2) the Nation's rural and remote communities face critical social, economic and environmental problems, arising in significant measure from the high cost of infrastructure development in sparsely populated and remote areas, that are not adequately addressed by existing Federal assistance programs;

''(3) in the past, Federal assistance has been instrumental in establishing electric and other utility service in many developing regions of the Nation, and that Federal assistance continues to be appropriate to ensure that electric and other utility systems in rural areas conform with modern standards of safety, reliability, efficiency and environmental protection; and

''(4) the future welfare of the Nation and the well-being of its citizens depend on the establishment and maintenance of viable rural and remote communities as social, economic and political entities.

''(b) PURPOSE.—The purpose of this title is the development and maintenance of viable rural and remote communities through the provision of efficient housing, and reasonably priced and environmentally sound energy, water, waste water, and bulk fuel and utility services to those communities that do not have those services or who currently bear costs for those services that are significantly above the national average.

''DEFINITIONS

''SEC. 902. As used in this title:

''(1) The term 'unit of general local government' means any city, county, town, township, parish, village, borough (organized or unorganized) or other general purpose political subdivision of a State, Guam, the Commonwealth of the Northern Mariana Islands, Puerto Rico, the Republic of the Marshall Islands, the Federated States of Micronesia, the Republic of Palau, the Virgin Islands, and American Samoa; a combination of such political subdivisions that is recognized by the Secretary; and the District of Columbia; or any other appropriate organization of citizens of a rural and remote community that the Secretary may identify.

''(2) The term 'population' means total resident population based on data compiled by the United States Bureau of the Census and referable to the same point or period in time.

''(3) The term 'Native American group' means any Indian tribe, band group, and nation, including Alaska Indians, Aleuts, and Eskimos, and any Alaskan Native Village, of the United States, which is considered an eligible recipient under the Indian Self Determination and Education Assistance Act (Public Law 93–638) or was considered an eligible recipient under chapter 67 of title 31, United States Code, prior to the repeal of such chapter.

''(4) The term 'Secretary' means the Secretary of Housing and Urban Development.

''(5) The term 'rural and remote community' means a unit of local general government or Native American group which represents or contains a population not in excess of 10,000 permanent inhabitants, and that has an average retail cost per kilowatt hour of electricity that is equal to or greater than 150 percent of the average retail cost per kilowatt hour of electricity for all consumers in the United States, as determined by data provided by the Department of Energy's Energy Information Administration.

''(6) The term alternative energy sources include non-traditional means of providing electrical energy, including, but not limited to, wind, solar, biomass, geothermal and tidal power.

''(7) The term 'average retail cost per kilowatt hour of electricity' has the same meaning as 'average revenue per kilowatthour of electricity' as defined by the Energy Information Administration.

''AUTHORIZATIONS

''SEC. 903. The Secretary is authorized to make grants to rural and remote communities to carry out activities in accordance with the provisions of this title. For purposes of assistance under section 906, there are authorized to be appropriated $100,000,000 for each of fiscal years 2000 through 2006.

''STATEMENT OF ACTIVITIES AND REVIEW

''SEC. 904. (a) Prior to the receipt in any fiscal year of a grant under section 906 by any rural and remote community, the grantee shall have prepared and submitted to the Secretary a final statement of rural and remote community development objectives and projected use of funds.

''(b) In order to permit public examination and appraisal of such statements, to enhance the public accountability of grantees, and to facilitate coordination of activities with different levels of government, the grantee shall in a timely manner—

''(1) furnish citizens informaiton concerning the amount of funds available for rural and remote community development activities and the range of activities that may be undertaken;

''(2) publish a proposed statement in such manner to afford affected citizens an opportunity to examine its content and to submit comments on the proposed statement and on the community development performance of the grantee;

''(3) provide citizens with reasonable access to records regarding the past use of funds received under section 906 by the grantee; and

''(4) provide citizens with reasonable notice of, and opportunity to comment on, any substantial change proposed to be made in the use of funds received under section 906 from one eligible activity to another.

The final statement shall be made available to the public, and a copy shall be furnished to the Secretary. Any final statement of activities may be modified or amended from time to time by the grantee in accordance with the same procedures requried in this paragraph for the preparation and submission of such statement.

''(c) Each grantee shall submit to the Secretary, at a time determined by the Secretary, a performacne and evaluation report, concerning the use of funds made available under section 906, together with an assessment by the grantee of the relationship of such use to the objectives identified in the grantee's statement under subsection (a) and to the requirements of subsection (b). The grantee's report shall indicate its programmatic accomplishments, the nature of and reasons for any changes in the grantee's program objectives, and indications of how the grantee would change its programs as a result of its experiences.

''(d) Any rural and remote community may retain any program income that is realized from any grant made by the Secretary under section 906 if (1) such income was realized after the initial disbursement of the funds received by such unit of general local government under such section; and (2) such unit of general local government has agreed that it will utilize the program income for eligible rural and remote community development activities in accordance with the provisions of this title; except that the Secretary may, by regulation, exclude from consideration as program income any amounts determined to be so small that compliance with this subsection creates an unreasonable administrative burden on the rural and remote community.

''ELIGIBLE ACTIVITIES

''SEC. 905. (a) Eligible activities assisted under title may include only—

''(1) the provision of assistance, including loans, grants, and services, for low-cost weatherization and other cost-effective energy-related repair of homes and other buildings;

''(2) the acquisition, construction, repair, reconstruction, or installation of reliable and cost-efficient facilities for the generation, transmission or distribution of electricity for consumption in a rural and remote community or communities;

''(3) the acquisition, construction, repair, reconstruction, remediation or installation of facilities for the safe storage and efficient management of bulk fuel by rural and remote communities, and facilities for the distribution of such fuel to consumers in a rural and remote community or communities;

''(4) facilities and training to reduce costs of maintaining and operating generation, distribution or transmission systems to a rural and remote community or communities;

''(5) the institution of professional management and maintenance services for electricity generation, transmission or distribution to a rural and remote community or communities;

''(6) the investigation of the feasibility of alternate energy sources for a rural and remote community or communities;

''(7) acquisition, construction, repair, reconstruction, operation, maintenance, or installation of facilities for water or waste water service;

''(8) the acquisition or disposition of real property (including air rights, water rights, and other interest therein) for eligible rural and remote community development activities; and

''(9) activities necessary to develop and implement a comprehensive rural and remote development plan, including payment of reasonable administrative costs related to planning and execution of rural and remote community development activities.

''(b) Eligible activities may be undertaken either directly by the rural and remote community, or by the rural and remote community through local electric utilities.

''ALLOCATION AND DISTRIBUTION OF FUNDS

''SEC. 906. For each fiscal year, of the amount approved in an appropriation Act under section 903 for grants in any year, the Secretary shall distribute to each rural and remote community which has filed a final statement of rural and remote community development objectives and projected use of funds under section 904, an amount which shall be allocated among the rural and remote communities that filed a final statement of rural and remote community development objectives and projected use of funds under section 904 proportionate to the percentage that the average retail cost per kilowatt hour of electricity for all classes of consumers in the rural and remote community exceeds the national average retail cost per kilowatt hour for electricity for all consumers in the United States, as determined by data provided by the Department of Energy's Energy Information Administration. In allocating funds under this section, the Secretary shall give special consideration to those rural and remote communities that increase economies of scale through consolidation of services, affiliation and regionalization of eligible activities under this title.

''REMEDIES FOR NONCOMPLIANCE

''SEC. 907. The provisions of section 111 of the Housing and Community Development Act of 1974 shall apply to assistance distributed under this title.''.

TITLE II—RURAL AND REMOTE COMMUNITY ELECTRIFICATION GRANTS

After section 313(b) of the Rural Electrification Act of 1936, add the following new subsection:

''(c) RURAL AND REMOTE COMMUNITY ELECTRIFICATION GRANTS.—The Secretary is authorized to provide grants to eligible borrowers under this Act for the purpose of increasing energy efficiency, lowering or stabilizing electric rates to end users, or providing or modernizing electric facilities in rural and remote communities that have an average retail cost per kilowatt hour of electricity that is equal to or greater than 150 percent of the average retail cost per kilowatt hour of electricity for all consumers in the United States, as determined by data provided by the Department of Energy's Energy Information Administration.

''(d) For purposes of subsection (c), there is authorized to be appropriated $20,000,000 for each of fiscal years 2000–2006.''.

TITLE III—RURAL RECOVERY COMMUNITY DEVELOPMENT BLOCK GRANTS

The Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) is amended by adding at the end the following:

''SEC. 123. RURAL RECOVERY COMMUNITY DEVELOPMENT BLOCK GRANTS.

''(a) FINDINGS; PURPOSE.—

''(1) FINDINGS.—Congress finds that—

''(A) a modern infrastructure, including affordable housing, wastewater and water service, and advanced technology capabilities is a necessary ingredient of a modern society and development of a prosperous economy with minimal environmental impacts;

''(B) the Nation's rural areas face critical social, economic, and environmental problems, arising in significant measure from the growing cost of infrastructure development in rural areas that suffer from low per capita income and high rates of outmigration and are not adequately addressed by existing Federal assistance programs; and

''(C) the future welfare of the Nation and the well-being of its citizens depend on the establishment and maintenance of viable rural areas as social, economic, and political entities.

''(2) PURPOSE.—The purpose of this section is to provide for the development and maintenance of viable rural areas through the provision of affordable housing and community development assistance to eligible units of general local government and eligible Native American groups in rural areas with excessively high rates of outmigration and low per capita income levels.

''(b) DEFINITIONS.—In this section:

''(1) ELIGIBLE UNIT OF GENERAL LOCAL GOVERNMENT.—The term 'eligible unit of general local government' means a unit of general local government that is the governing body of a rural recovery area.

''(2) ELIGIBLE INDIAN TRIBE.—The term 'eligible Indian tribe' means the governing body of an Indian tribe that is located in a rural recovery area.

''(3) GRANTEE.—The term 'grantee' means an eligible unit of general local government or eligible Indian tribe that receives a grant under this section.

''(4) NATIVE AMERICAN GROUP.—The term 'Native American group' means any Indian tribe, band, group, and nation, including Alaska Indians, Aleuts, and Eskimos, and any Alaskan Native Village, of the United States, which is considered an eligible recipient under the Indian Self-Determination and Education Assistance Act (Public Law 93–638) or was considered an eligible recipient under chapter 67 of title 31, United States Code, prior to the repeal of such chapter.

''(5) RURAL RECOVERY AREA.—The term 'rural recovery area' means any geographic area represented by a unit of general local government or a native American group—

''(A) the borders of which are not adjacent to a metropolitan area;

''(B) in which—

''(i) the population outmigration level equals or exceeds 1 percent over the most recent five year period, as determined by the Secretary of Agriculture, and,

''(ii) the per capita income is less than that of the national nonmetropolitan average; and

''(C) that does not include a city with a population or more than 15,000.

''(6) UNIT OF GENERAL LOCAL GOVERNMENT.—

''(A) IN GENERAL.—The term 'unit of general local government' means any city, county, town, township, parish, village, borough (organized or unorganized), or other general purpose political subdivision of a State; Guam, the Northern Mariana Islands, the Virgin Islands, Puerto Rico, and American Samoa, or a general purpose political subdivision thereof; a combination of such political subdivisions that, except as provided in section 106(d)(4), is recognized by the Secretary; the District of Columbia; and the Trust Territory of the Pacific Islands.

''(B) OTHER ENTITIES INCLUDED.—The term also includes a State or a local public body or agency (as defined in section 711 of the Housing and Urban Development Act of 1970), community association, or other entity, that is approved by the Secretary for the purpose of providing public facilities or services to a new community as part of a program meeting the eligibility standards of section 712 of the Housing and Urban Development Act of 1970 or title IV of the Housing and Urban Development Act of 1968.

''(c) GRANT AUTHORITY.—The Secretary may make grants in accordance with this section to eligible units of general local government Native American groups and eligible Indian tribes that meet the requirements of subsection (d) to carry out eligible activities described in subsection (f).

''(d) ELIGIBILITY REQUIREMENTS.—

''(1) STATEMENT OF RURAL DEVELOPMENT OBJECTIVES.—In order to receive a grant under this section for a fiscal year, an eligible unit of general local government, Native American group or eligible Indian tribe—

''(A) shall—

''(i) publish a proposed statement of rural development objectives and a description of the proposed eligible activities described in subsection (f) for which the grant will be used; and

''(ii) afford residents of the rural recovery area served by the eligible unit of general local government, Native American groups or eligible Indian tribe with an opportunity to examine the contents of the proposed statement and the proposed eligible activities published under clause (i), and to submit comments to the eligible unit of general local government, Native American group or eligible Indian tribe, as applicable, on—

''(I) the proposed statement and the proposed eligible activities; and

''(II) the overall community development performance of the eligible unit of general local government, Native American groups or eligible Indian tribe, as applicable; and

''(B) based on any comments received under subparagraph (A)(ii), prepare and submit to the Secretary—

''(i) a final statement of rural development objectives;

''(ii) a description of the eligible activities described in subsection (f) for which a grant received under this section will be used; and

''(iii) a certification that the eligible unit of general local government, Native American groups or eligible Indian tribe, as applicable, will comply with the requirements of paragraph (2).

''(2) PUBLIC NOTICE AND COMMENT.—In order to enhance public accountability and facilitate the coordination of activities among different levels of government, an eligible unit of general local government, Native American groups or eligible Indian tribe that receives a grant under this section shall, as soon as practicable after such receipt, provide the residents of the rural recovery area served by the eligible unit of general local government, Native American groups or eligible Indian tribe, as applicable, with—

''(A) a copy of the final statement submitted under paragraph (1)(B);

''(B) information concerning the amount made available under this section and the eligible activities to be undertaken with that amount;

''(C) reasonable access to records regarding the use of any amounts received by the eligible unit of general local government, Native American groups or eligible Indian tribe under this section in any preceding fiscal year; and

''(D) reasonable notice of, and opportunity to comment on, any substantial change proposed to be made in the use of amounts received under this section from 1 eligible activity to another.

''(e) DISTRIBUTION OF GRANTS.—

''(1) IN GENERAL.—In each fiscal year, the Secretary shall distribute to each eligible unit of general local government, Native American groups and eligible Indian tribe that meets the requirements of subsection (d)(1) a grant in an amount described in paragraph (2).

''(2) AMOUNT.—Of the total amount made available to carry out this section in each fiscal year, the Secretary shall distribute to each grantee the amount equal to the greater of—

''(A) the pro rata share of the grantee, as determined by the Secretary, based on the combined annual population outmigration level (as determined by Secretary of Agriculture) and the per capita income for the rural recovery area served by the grantee; or

''(B) $200,000.

''(f) ELIGIBLE ACTIVITIES.—Each grantee shall use amounts received under this section for 1 or more of the following eligible activities, which may be undertaken either directly by the grantee, or by any local economic development corporation, regional planning district, non-profit community development corporation, or statewide development organization authorized by the grantee:

''(1) The acquisition, construction, repair, reconstruction, operation, maintenance, or installation of facilities for water and wastewater service or any other infrastructure needs determined to be critical to the further development or improvement of a designated industrial park.

''(2) The acquisition or disposition of real property (including air rights, water rights, and other interests therein) for rural community development activities.

''(3) The development of telecommunications infrastructure within a designated industrial park that encourages high technology business development in rural areas

''(4) Activities necessary to develop and implement a comprehensive rural development plan, including payment of reasonable administrative costs related to planning and execution of rural development activities.

''(5) Affordable housing initiatives.

''(g) PERFORMANCE AND EVALUATION REPORT.—

''(1) IN GENERAL.—Each grantee shall annually submit to the Secretary a performance and evaluation report, concerning the use of amounts received under this section.

''(2) CONTENTS.—Each report submitted under paragraph (1) shall include a description of—

''(i) publish a proposed statement of rural development objectives and a description of the proposed eligible activities described in subsection (f) for which the grant will be used; and

''(A) the eligible activities carried out by the grantee with amounts received under this section, and the degree to which the grantee has achieved the rural development objectives included in the final statement submitted under subsection (d)(1);

''(B) the nature of and reasons for any change in the rural development objectives or the eligible activities of the grantee after submission of the final statement under subsection (d)(1); and

''(C) any manner in which the grantee would change the rural development objectives of the grantee as a result of the experience of the grantee in administering amounts received under this section.

''(h) RETENTION OF INCOME.—A grantee may retain any income that is realized from the grant, if—

''(1) the income was realized after the initial disbursement of amounts to the grantee under this section; and

''(2) the—

''(A) grantee agrees to utilize the income for 1 or more eligible activities; or

''(B) amount of the income is determined by the Secretary to be so small that compliance with subparagraph (A) would create an unreasonable administrative burden on the grantee.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $50,000,000 for each of fiscal years 2000 through 2006''.

Mr. DASCHLE. Mr. President, today I am introducing legislation to help address the economic malaise that has gripped certain rural and remote areas of our country and the problems arising from the high cost of developing and maintaining infrastructure in remote communities. The legislation will provide grants to rural communities suffering from out-migration and low per-capita income and will help ensure that remote communities are not unfairly penalized by the high cost of services, such as water, waste water, fuel and utility services. I want to thank my colleague from Alaska, Senator MURKOWSKI, for his work on this legislation. His contribution in addressing these problems is most welcome.

Rural areas of our Nation continue to experience vast fluctuations in their economic well-being due to their dependence on worldwide agricultural markets. The link between global economic forces and local economic conditions is nowhere as pronounced as it is in rural America. And yet, rural communities are often those least capable of weathering the severe periodic downturns that occur in global markets.

Statistics bear out these fluctuations in economic activity, but they fail to fully capture the human suffering that lies just beyond the numbers. Economic downturns lead to the migration away from farm-dependent, rural communities, further stifling economic opportunities for those left behind. The 1990 Census highlighted these migratory trends, and I anticipate that similar trends will be captured by the upcoming Census, as well.

In short, the bandwagon of prosperity that has carried many Americans along through the past decade has left many rural areas standing by the wayside. If this trend continues, more and more young people will be forced to leave the towns they grew up in for opportunities in urban areas. In towns like Webster, Sisseton, and White River, South Dakota, we are seeing farm families broken up, populations decline, and main street businesses close their doors. While there is no doubt that economic growth in our urban areas has benefited our Nation, the disparity of economic development between our rural and urban areas cannot be ignored. If nothing is done to address the economic challenges facing these areas, we will jeopardize the future of rural America.

That is why Senator MURKOWSKI and I are introducing legislation to provide the Nation's rural areas with the resources necessary to make critical investments in their future and, by doing so, to create economic opportunities that will help them sustain a valuable and important way of life. While Federal agencies, such as the United States Department of Agriculture's Office of Rural Development and the Economic Development Administration, provide assistance for rural development purposes, there are no Federal programs that provide a steady source of funding for rural areas most affected by severe out-migration and low per-capita income. For these areas, the process of economic development is often most arduous. The Rural and Remote Community Fairness Act of 1999 will provide the basic, long-term assistance necessary to aid the coordinated efforts of local community leaders as they begin economic recovery efforts to ensure a bright future for rural America.

Specifically, the Rural and Remote Community Fairness Act of 1999 will provide a minimum of $200,000 per year to counties and Indian tribes with (1) out-migration levels of one percent or more over a five-year period, (2) per-capita income levels that are below the national average, and (3) borders that are not adjacent to a metropolitan area. This legislation authorizes the United States Department of Housing and Urban Development to set aside $50 million in Community Development Block Grant funding for this purpose. The money, which is already included in the agency's budget, will be allocated on a formula basis to rural counties and Indian tribes suffering from out-migration and low-per capita income levels.

County and tribal governments will be able to use this federal funding to improve their industrial parks, purchase land for development, build affordable housing and create economic recovery strategies according to their needs. All of these important steps will help rural communities address their economic problems and plan for long-term growth and development.

In addition to addressing the problems of out-migration from low per-capita income areas, this legislation also focuses on the unique problems associated with those communities located in areas with high energy costs. Specifically, the legislation sets aside $100,000,000 for weatherization efforts, the construction of cost-efficient power facilities and fuel storage facilities, energy management programs, water and waste water facilities, the acquisition or disposition of real property for rural and remote development activities, and for the implementation of a comprehensive rural and remote development plan.

Mr. President, the Rural and Remote Community Fairness Act of 1999 holds great potential for revitalizing many of

our nation's most neglected and vulnerable areas. I urge my colleagues to support its enactment this Congress.

By Mr. LOTT (for himself, Mr. COCHRAN, Mr. BREAUX, Mr. HUTCHINSON, Mr. THOMAS, Mr. CRAIG, and Mr. MURKOWSKI):

S. 710. A bill to authorize the feasibility study on the preservation of certain Civil War battlefields along the Vicksburg Campaign Trail; to the Committee on Energy and Natural Resources.

VICKSBURG CAMPAIGN TRAIL BATTLEFIELDS PRESERVATION ACT OF 1999

Mr. LOTT. Mr, President, on February 20, 1899, the 56th Congress took an important step toward preserving one of our nation's most significant historical resources when it established the Vicksburg National Military Park. The campaign and siege at Vicksburg, the ''Gibraltar of the Confederacy,'' was a pivotal moment in American History. As the gateway to the Mississippi River, the region was of vital strategic importance to both the South and the North. For this reason, the Vicksburg engagement is heralded as one of the most brilliant offensive campaigns ever fought on U.S. soil.

Every year, the Vicksburg National Military Park plays host to over one million visitors who are able to take advantage of this national historic treasure. Like many other National Parks, Vicksburg contributes to the cultural, recreational, scenic, and economic vitality of the region.

As America celebrates the centennial anniversary of the Park's founding, it is important to recognize that a number of other campaign related sites throughout Mississippi, Louisiana, Arkansas, and Tennessee, used by both the Union and Confederate Armies during the 1862 to 1863 Vicksburg conflict, are in desperate need of study, interpretation, management, and protection.

These are sites that have been listed as historically significant properties on both state and national registries. Unfortunately, many of these same sites, buildings, fortifications, earthworks, and other landmarks along the Vicksburg Campaign Trail route have been identified by the National Trust for Historic Preservation as being among the 11 most endangered historic places in America. The Mississippi Heritage Trust, based in Jackson, also named the Campaign Trail as one of its highest priorities and placed the Vicksburg Trail on its list of most threatened historic areas in the state.

Mr. President, that is why I am introducing legislation today to authorize the Park Service to conduct a feasibility study on the Vicksburg Campaign Trail. A study that will identify options for preserving some of our nation's most important Civil War battlefields and sites.

At the outbreak of the American Civil War, President Abraham Lincoln gathered his ranking civil and military leaders to develop a strategy for ending the war. While seated around a large table examining a map of the nation, Lincoln made a wide sweeping gesture with his hand, and then placed his finger on the map at Vicksburg. He said, ''See what a lot of land these fellows hold of which Vicksburg is the key. The war can never be brought to a close until that key is in our pocket.''

It was a crucial for the Federal government to regain control of the lower Mississippi River. The goal was to enable troops, supplies and commerce to flow unhindered from the Northwest. Taking the Gibraltar of the Confederacy would sever vital Southern supply routes, achieve a major objective of the Anaconda Plan, and effectively seal the doom of the Confederate capital in Richmond.

Even with Major General Ulysses S. Grant leading the charge, Vicksburg would prove a tough nut to crack. Its powerful Southern batteries were trained on the river and an 8 mile-long swath of earthworks guarded all land based approaches. The reinforced line consisted of nine major forts connected by trenches and rifle pits manned by a garrison of 30,000 troops and 172 mounted guns. These fortifications posed the greatest challenge to Union domination of the Mississippi River.

The campaign to capture Vicksburg, to ''pocket the key'' to Union victory, lasted 18 months and involved more than 100,000 soldiers. It was here that entire regiments of black soldiers wore the uniform of the United States Army for only the second time in American history. The battle of Vicksburg also involved a number of historic naval engagements between Union gunboats and Confederate warships.

After months of frustration and failure to capture the Confederate bastion, General Grant marched his force of over 45,000 men down the west side of the Mississippi River. With the assistance of the U.S. fleet, Union troops crossed the river below Vicksburg and swiftly moved deep into Mississippi. After five fierce battles, the state capital of Jackson was taken. The Union Army then turned west and marched along the rail line towards Vicksburg. Lt. Gen. John C. Pemberton led the defense of Vicksburg and held the Rebel line for some time. Pemberton refused to succumb to unconditional surrender even after 47 days of siege. He finally relinquished the city on July 4, 1863 after securing paroles for his resistance forces.

Mr. President, many historians consider the battle of Vicksburg to be the most decisive campaign of the Civil War. It was also the most complex combined operation ever undertaken by American armed forces prior to World War II. In fact, the Vicksburg Campaign is required study at the United States Military Academy, the Army War College, and the Commanding General Staff College. These are the men and women who will eventually lead our armed forces. Rather than just read about the conflict in textbooks, troops from military units throughout the country ride the battlefields to experience first hand the tactics of war.

At a time when the movie ''Saving Private Ryan'' is recognized for its true-to-life depiction of the battlefield on Omaha Beach, Normandy, France, our nation must continue to reflect on the hardships suffered here on our own soil. Those suffered by soldiers and civilians throughout the North and South.

The Vicksburg campaign is truly an example of the pathos of war here on America's shores. Brother fought against brother on opposite sides of the battle lines. In defense of ideals each held dear. During the siege, soldiers fed off the land while the civilian population lived underground to escape the constant bombardment of Union guns—enduring exposure, sickness, and little food. It was a military operation where tens of thousands of lives were lost.

Vicksburg is also an illustration of the healing and reunification that followed Reconstruction. Union and Confederate veterans joined forces to establish Vicksburg National Military Park. We owe these former combatants a debt of gratitude for their efforts. Not only for their distinguished bravery during the most trying of times, but also for the vital legacy they left us all.

Now it is our solemn duty to safeguard the memory of those who fought so dearly during the many battles that occurred to secure Vicksburg by studying the entire campaign trail. For its contribution to our understanding of the Civil War and for its continued influence on American history. This great contest encompassed a vast geographical region. Battle related sites are scattered throughout Mississippi, Louisiana, Arkansas, and Tennessee. While some landmarks have been lost to age and neglect, it is not to late to protect the hundreds of remnants associated with the campaign that remain to tell the story.

Mr. President, the non-partisan measure offered today is also a key. The key to protecting our national heritage. This bill will begin a much needed process to protect the integrity of the many historic venues associated with the battle of Vicksburg that still exist. Literally hundreds of miles of roads, fields, and bayous were covered by Yankee and Rebel troops during this engagement. To truly understand and appreciate this historic conflict, it is important to look beyond the confines of the Vicksburg National Military Park as it exists today. The 106th Congress needs to build upon the legacy our forefathers left us by developing a comprehensive plan leading to the eventual preservation of the many endangered sites along the four state campaign trail. This Congress needs to authorize this much needed study—the second key. President Lincoln got the first key over one hundred years ago.

Now that 136 years have past, the current President needs the second key.

Without Congressional action, historians, soldiers, re-enactors, and tourists will forever lose direct access to the many at-risk landmarks and battlefields along the Vicksburg campaign route that have not yet disappeared. Sites, that while inexorably linked by time and honor, will simply vanish into the wind without the development of coordinated and comprehensive preservation strategies. Sites where the true experience of history will only be left to words.

Mr. President, I ask my colleagues to join with me in support of this non-partisan measure. Let us take this first and necessary step to protect our national heritage for those who have gone before us and for those yet to come.

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

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

S. 710

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 ''Vicksburg Campaign Trail Battlefields Preservation Act of 1999''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) there are situated along the Vicksburg Campaign Trail in the States of Mississippi, Louisiana, Arkansas, and Tennessee the sites of several key Civil War battles;

(2) the battlefields along the Vicksburg Campaign Trail are collectively of national significance in the history of the Civil War; and

(3) the preservation of those battlefields would vitally contribute to the understanding of the heritage of the United States.

(b) PURPOSE.—The purpose of this Act is to authorize a feasibility study to determine what measures should be taken to preserve certain Civil War battlefields along the Vicksburg Campaign Trail.

SEC. 3. DEFINITIONS.

In this Act:

(1) CAMPAIGN TRAIL STATE.—The term ''Campaign Trail State'' means each of the States of Mississippi, Louisiana, Arkansas, and Tennessee, including political subdivisions of those States.

(2) CIVIL WAR BATTLEFIELD.—

(A) IN GENERAL.—The term ''Civil War battlefield'' means the land and interests in land that is the site of a Civil War battlefield, including structures on or adjacent to the land, as generally depicted on the Map.

(B) INCLUSIONS.—The term ''Civil War battlefield'' includes—

(i) the battlefields at Helena and Arkansas Post, Arkansas;

(ii) Goodrich's Landing near Transylvania, and sites in and around Lake Providence, East Carroll Parish, Louisiana;

(iii) the battlefield at Milliken's Bend, Madison Parish, Louisiana;

(iv) the route of Grant's march through Louisiana from Milliken's Bend to Hard Times, Madison and Tensas Parishes, Louisiana;

(v) the Winter Quarters at Tensas Parish, Louisiana;

(vi) Grant's landing site at Bruinsburg, and the route of Grant's march from Bruinsburg to Vicksburg, Claiborne, Hinds, and Warren Counties, Mississippi;

(vii) the battlefield at Port Gibson (including Shaifer House, Bethel Church, and the ruins of Windsor), Claiborne County, Mississippi;

(viii) the battlefield at Grand Gulf, Claiborne County, Mississippi;

(ix) the battlefield at Raymond (including Waverly, (the Peyton House)), Hinds County, Mississippi;

(x) the battlefield at Jackson, Hinds County, Mississippi;

(xi) the Union siege lines around Jackson, Hinds County, Mississippi;

(xii) the battlefield at Champion Hill (including Coker House), Hinds County, Mississippi;

(xiii) the battlefield at Big Black River Bridge, Hinds and Warren Counties, Mississippi;

(xiv) the Union fortifications at Haynes Bluff, Confederate fortifications at Snyder's Bluff, and remnants of Federal exterior lines, Warren County, Mississippi;

(xv) the battlefield at Chickasaw Bayou, Warren County, Mississippi;

(xvi) Pemberton's Headquarters at Warren County, Mississippi;

(xvii) the site of actions taken in the Mississippi Delta and Confederate fortifications near Grenada, Grenada County, Mississippi;

(xviii) the site of the start of Greirson's Raid and other related sites, LaGrange, Tennessee; and

(xix) any other sites considered appropriate by the Secretary.

(3) MAP.—The term ''Map'' means the map entitled ''Vicksburg Campaign Trail National Battlefields'', numbered _____, and dated _____.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director of the National Park Service.

SEC. 4. FEASIBILITY STUDY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall complete a feasibility study to determine what measures should be taken to preserve Civil War battlefields along the Vicksburg Campaign Trail.

(b) COMPONENTS.—In completing the study, the Secretary shall—

(1) enter into contracts with entities to use advanced technology such as remote sensing, river modeling, and flow analysis to determine which property included in the Civil War battlefields should be preserved, restored, managed, maintained, or acquired due to the national historical significance of the property;

(2) evaluate options for the establishment of a management entity for the Civil War battlefields consisting of a unit of government or a private nonprofit organization that—

(A) administers and manages the Civil War battlefields; and

(B) possesses the legal authority to—

(i) receive Federal funds and funds from other units of government or other organizations for use in managing the Civil War battlefields;

(ii) disburse Federal funds to other units of government or other nonprofit organizations for use in managing the Civil War battlefields;

(iii) enter into agreements with the Federal government, State governments, or other units of government and nonprofit organizations; and

(iv) acquire land or interests in land by gift or devise, by purchase from a willing seller using donated or appropriated funds, or by donation;

(3) make recommendations to the Campaign Trail States for the management, preservation, and interpretation of the natural, cultural, and historical resources of the Civil War battlefields;

(4) identify appropriate partnerships among Federal, State, and local governments, regional entities, and the private sector, including nonprofit organizations and the organization known as ''Friends of the Vicksburg Campaign and Historic Trail'', in furtherance of the purposes of this Act; and

(5) recommend methods of ensuring continued local involvement and participation in the management, protection, and development of the Civil War battlefields.

(c) REPORT.—Not later than 60 days after the date of completion of the study under this section, the Secretary shall submit a report describing the findings of the study to—

(1) the Committee on Energy and Natural Resources of the Senate; and

(2) the Committee on Resources of the House of Representatives.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this Act $1,500,000.

By Mr. MURKOWSKI (for himself and Mr. STEVENS):

S. 711. A bill to allow for the investment of joint Federal and State funds from the civil settlement of damages from the Exxon Valdez oil spill, and for other purposes; to the Committee on Energy and Natural Resources.

CIVIL SETTLEMENT OF DAMAGES FROM THE ''EXXON VALDEZ'' OIL SPILL

● Mr. MURKOWSKI. Mr. President, we are ten years older, but are we ten years wiser since the *Exxon Valdez* oil spill?

With the anniversary of the Nation's worst oil spill occurring today, the question most asked by national media is how the environment and wildlife of Alaska has fared. In fact, just last week on a ''60 minutes'' story this exact question was asked. It was asked not only by the network doing the story, but by the Alaskans being interviewed.

What's particularly frustrating is that in many cases it is still not possible to give informed answers.

In the years since 11.3 million gallons of crude oil bubbled into the sea, the Exxon Valdez Oil Spill (EVOS) Trustees Council has had nearly $800 million of the eventual $900 million that Exxon will pay at their disposal to fund scientific studies. Those studies should have determined the health of marine life, wildlife and the ecosystem of Prince William Sound. But according to the latest summary of scientific studies, while it is possible to say that some species have or are recovering, it is not possible to give a full accounting.

According to a report from the council last month very little is known about the health of cutthroat trout, Dolly Varden, rockfish or Kittlitz's murrelets. And there is only slightly more information on the health of killer whales, pigeon guillemots, cormorants, and common loon, harbor seals and harlequin ducks.

While it is heartening that the Sound appears to be recovering sooner than many thought likely, and that herring and salmon stocks are recovering as

are bald eagles and river otters, it is frustrating that more hard scientific data has not been gathered.

That is why, Mr. President, I rise to introduce legislation, on behalf of myself and Senator STEVENS, that will provide for more science to be done on the impacted spill area. The legislation I am introducing will allow for a higher rate of interest to be earned through outside investments of the settlement funds from the *Exxon Valdez* oil spill.

The legislation specifies that the interest on investments received under this new authority must be used to support marine research and economic restoration projects for the fishing industry and local fishermen. If the trustees choose to use this authority, an additional $20 million to $30 million could be generated for research and restoration between now and 2001.

The legislation further requires the trustees to present a report to Congress recommending a structure the trustees believe would be most effective and appropriate for the administration and expenditure of remaining funds and interest received. This provision is also consistent with comments from the public suggesting that an independent science-oriented board should control the process of funding science projects, rather than trustees who represent agencies that may be seeking project funding.

I, for one, believe the Council's priorities have been misplaced which has necessitated this legislation. They have been unwilling to admit that science does not yet provide many mitigation answers; instead, the spill trustees have decided to go on a land buying spree as an alternative.

This is a mistake, Mr. President.

In a State where 68 percent of all land is federally owned and where individuals own less than 1 percent of all property, the trustees have allocated $416 million of the initial $900 million court settlement just for land acquisitions. They have nearly completed the purchase of 647,000 acres in and around Prince William Sound and just recently voted to set aside an additional $55 million to fund acquisitions, literally, forever even though most of the land being bought was not directly affected by the spill.

Alaska Natives worked for decades to win the 1971 land settlement that gave them control of 44 million acres of Alaska. Now, in less than a quarter of a century, Natives have lost much of the land they had fought to gain—a good part of the Native lands in the region have been reacquired through the actions of the trustees. It is ironic, indeed, that the United States purchased Alaska for $7.2 million in 1867 and that 60 times more money already has been committed to buy back parts of it.

Back in 1994 when $600 million of the settlement was still uncommitted, I urged the trustees to commit the bulk of the settlement to a ''permanent fund'' that would provide a perpetual source of significant funding for research or mitigation projects. I also urged the trustees to utilize the expertise of the University of Alaska in undertaking those studies. I warned that if too much funding was allocated to land acquisition, or spent on marginal science, less money would be available to fund sound studies to shed light on the mysteries affecting commercial and sport fisheries and marine life and wildlife in the Sound.

In the intervening years we have seen General Accounting Office audits documenting that the trustees have pad on average 56 percent above government-appraised value for the lands it has acquired. We've seen a situation this year where the trustees paid nearly $80 million for lands on Kodiak Island, while the Department of the Interior set the value of those same lands at about one-third that amount when it came to funding revenue sharing payments to the Kodiak Island Borough.

While the trustees recently voted to place about $115 million of the settlement aside to provide interest to fund future scientific studies, I believe the earnings from all of the roughly $170 million still owed by Exxon should be devoted to pay for marine research and monitoring including applied fisheries research. I believe this approach will give us answers, not leave us guessing, about what is happening to the Sound and what we can do to improve the habitat of the region. The legislation we introduce today will begin to address this need.

Long after the Sound has healed its wounds, those lands bought by the trustees will be lost forever to economic activity and to the Native heritage. Nowhere could this be clearer than the example of one Native corporation that agreed to sell its lands with the intent to invest in a perpetual trust to help children go to school and provide solutions to other problems. Instead it was pressured to make a one time payment to each shareholder.

The longest-lasting legacy of the tragedy may be that some of the Natives find themselves like the Biblical Esau who sold his birthright to Jacob for a mess of pottage and bread. When the meal was gone so was his heritage. When that one-time payment has been spent, what will have been gained and what will pass on to their children?

Today, another tragedy is clear, we still do not have the answers to the effects of the spill, even though we had the wherewithal to have obtained them.

Mr. President, immediately following the spill, I sponsored a provision in the Oil Pollution Act of 1990, which was passed by Congress, to create Regional Citizens Advisory Councils, giving local residents the authority and the resources to improve all aspects of oil transport planning and cleanup. Patterned after a concept then in place at the Port of Sullom Voe in the North Sea's Shetland Islands, there is no question that the oversight and creativity that the councils engendered have done the most to make Alaska's oil transportation system the best in the world.

It is time for Congress to act again today, to ensure that we have the resources to obtain the best science available in understanding Prince William Sound. I believe this bill will allow us to do just that.●

● Mr. STEVENS. Mr. President, I join Senator MURKOWSKI in introducing this bill to allow greater interest to be earned on funds from the civil settlement between Exxon and the State of Alaska and the Federal Government resulting from the 1989 *Exxon Valdez* oil spill. This is another silver lining from the spill.

Under the civil settlement, Exxon has paid $900 million to the State of Alaska and Federal Government. The settlement established the Exxon Valdez Oil Spill Trustee Council to administer these funds. The Trustee Council is comprised of three Federal and three State representatives.

While I disagree with the Council's decisions to spend much of the funds to acquire land in Alaska, I was pleased by their decision on March 1, 1999 to dedicate $115 million for an endowment for marine research, monitoring, and restoration.

Our bill would allow the Council to invest these funds outside the court registry, where it would earn greater interest than under the court's authority. The bill is similar to the legislation we pursued during the 105th Congress. We are encouraged that the Trustee Council has directed its Executive Director to work with us on this measure, and we will keep an open mind when those discussions begin.

I also intend to explore whether we can merge the EVOS research endowment with the North Pacific Marine Research endowment I created last year with funds received by the Federal Government in the case involving Dinkum Sands oil lease revenue. The EVOS funds can only be used in the spill area, while the Dinkum Sands funds can be used for research relating to any of the marine waters off Alaska. Merging the two would maximize research benefits for Alaska and the Nation, and minimize potential duplication.

In 1997, we established the 19-member North Pacific Research Board to prepare the marine research plan for the Dinkum Sands funds. In 1998, however, during the first year of funding, we simplified the approach so that the University of Alaska has the responsibility for preparing the plan, and the plan must then be approved by the State of Alaska, the Department of the Interior, and the Department of Commerce. Our goal is to update the North Pacific Research Board so that the University will have the central role, but the other entities on the North Pacific Marine Research Board will also have an advisory role in the long term in setting the research priorities.

During our work on this, we will also see whether it is possible to merge the

EVOS research endowment with the Dinkum Sands endowment. The bill that Senator MURKOWSKI and I are introducing is the critical piece of the puzzle that will allow greater interest to be earned on the EVOS marine research endowment whether or not we are ultimately able to merge the two.●

By Mr. LOTT (for himself, Mrs. HUTCHISON, Mr. BREAUX, and Mr. WYDEN):

S. 712. A bill to amend title 39, United States Code, to allow postal patrons to contribute to funding for highway-rail grade crossing safety through the voluntary purchase of certain specially issued United States postage stamps; to the Committee on Governmental Affairs.

THE ''LOOK, LISTEN, AND LIVE STAMP ACT''

Mr. LOTT. Mr. President, today I, along with Senators HUTCHISON, BREAUX, and WYDEN, introduce the ''Look, Listen, and Live Stamp Act.'' This bill would authorize the U.S. Postal Service to establish a special-rate postage stamp to promote highway-rail grade crossing safety.

There are approximately 150,000 public crossings in America today, the majority of which are equipped with only passive warning devices. In 1998, there were 3,446 grade-crossing collisions involving motor vehicles resulting in 1,950 serious injuries and 422 deaths. A motorist is 40 times more likely to die in a crash involving a train than in a collision involving another motor vehicle. Most recently, this nation witnessed the horror of the Amtrak grade-crossing collision in Bourbonnais, Illinois last week.

Sadly, Mr. President, grade-crossing deaths are preventable. Unfortunately, the cost of separating or eliminating all of these crossings would run into the trillions of dollars, and even the cost of equipping every crossing with the most effective active warning devices would run into the billions of dollars. While the railroad industry and Federal, state, and local governments are slowly reducing the number of grade-crossings and improving others, the process will take decades to complete. Also, about half of all collisions at highway-rail grade crossings occur at crossings equipped with active warning systems in place: flashing lights, bells and gates.

To save lives now, we must intensify our efforts to educate our citizens on the hazards of, and proper method for, crossing a railroad track. The ''Look, Listen, and Live Stamp Act'' would promote this worthy cause in two ways. First, the stamp itself, and its display in post offices throughout America, would serve as a reminder to all to treat the crossing of a railroad track as a life or death situation. Second, it would provide an additional source of revenue to the Department of Transportation to fund Operation Lifesaver programs. Operation Lifesaver is non-profit, nationwide public education program dedicated to reducing collisions, injuries, and fatalities at intersections where America's roadways meet railways and along railroad rights-of-way. ''Look, Listen, and Live'' is an Operation Lifesaver slogan intended to remind motor vehicle drivers how to protect their lives when they approach a highway-rail grade crossing.

Mr. President, the bill would authorize the U.S. Postal Service to sell the stamp at up to 25 percent more than the cost of a first-class stamp, with the difference going to the Department of Transportation to provide additional Operation Lifesaver funding. U.S. Postal Service customers could choose to buy these special stamps, and thereby contribute to this worthy cause, or continue to purchase regular first-class stamps at the going rate. The choice would be theirs. Most importantly, the stamp will provide a constant reminder of the need to exercise caution in crossing railroad tracks. Public memory of the Bourbonnais, Illinois incident, and similar fatal collisions, will fade as media interest shifts to new topics. Operation Lifesaver's public awareness programs are an effort to change driver behavior, but additional reminders, such as this stamp, are required.

The lives lost by a driver's careless crossing of a railroad track are usually those in the motor vehicle, but many times include the passengers and crew members of the train. Even when the train crew survives, they are haunted by the memories of helplessly watching these needless deaths. This is a nationwide problem, but a March 22, 1999, USA Today article detailed the dangers of this problem in my home state of Mississippi. I want to dedicate this bill to the families of the victims of the Amtrak ''City of New Orleans'' collision in Bourbonnais last week, especially to the families of the five victims from Mississippi: June Bonnin and Jessica Tickle of Nesbit, Mississippi, Lacey Lipscomb and Rainey Lipscomb of Lake Cormorant, Mississippi, and Sheena Dowe of Jackson, Mississippi.

Mr. President, I ask my colleagues to join me in cosponsoring this bill.

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

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

S. 712

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 ''Look, Listen, and Live Stamp Act''.

SEC. 2. SPECIAL POSTAGE STAMPS TO BENEFIT HIGHWAY-RAIL GRADE CROSSING SAFETY.

(a) IN GENERAL.—Chapter 4 of title 39, United States Code, is amended by inserting after section 414 the following:

''§ 414a. Special postage stamps for highway-rail grade crossing safety

''(a) In order to afford the public a convenient way to contribute to funding for highway-rail grade crossing safety, the Postal Service shall establish a special rate of postage for first-class mail under this section.

''(b) The rate of postage established under this section—

''(1) shall be equal to the regular first-class rate of postage, plus a differential of not to exceed 25 percent;

''(2) shall be set by the Governors in accordance with such procedures as the Governors shall by regulation prescribe (in lieu of the procedures under chapter 36); and

''(3) shall be offered as an alternative to the regular first-class rate of postage.

''(c) The use of the special rate of postage established under this section shall be voluntary on the part of postal patrons.

''(d)(1) Amounts becoming available for highway-rail grade crossing safety under this section shall be paid by the Postal Service to the Department of Transportation for Operation Lifesaver. Payments under this section shall be made under such arrangements as the Postal Service shall by mutual agreement with the Department of Transportation establish in order to carry out the purposes of this section, except that, under those arrangements, payments to the Department of Transportation shall be made at least twice a year.

''(2) For purposes of this section, the term 'amounts becoming available for highway-rail grade crossing safety under this section' means—

''(A) the total amounts received by the Postal Service that the Postal Service would not have received but for the enactment of this section, reduced by

''(B) an amount sufficient to cover reasonable costs incurred by the Postal Service in carrying out this section, including those attributable to the printing, sale, and distribution of stamps under this section,

as determined by the Postal Service under regulations that it shall prescribe.

''(e) It is the sense of Congress that nothing in this section should—

''(1) directly or indirectly cause a net decrease in total funds received by the Department of Transportation for Operation Lifesaver below the level that would otherwise have been received but for the enactment of this section; or

''(2) affect regular first-class rates of postage or any other regular rates of postage.

''(f) Special postage stamps under this section shall be made available to the public beginning on such date as the Postal Service shall by regulation prescribe, but in no event later than 12 months after the date of the enactment of this section.

''(g) The Postmaster General shall include in each report rendered under section 2402 with respect to any period during any portion of which this section is in effect information, concerning the operation of this section, except that, at a minimum, each report shall include—

''(1) the total amount described in subsection (d)(2)(A) which was received by the Postal Service during the period covered by such report; and

''(2) of the amount under paragraph (1), how much (in the aggregate and by category) was required for the purposes described in subsection (d)(2)(B).

''(h) This section shall cease to be effective at the end of the 2-year period beginning on the date on which special postage stamps under this section are first made available to the public.''.

(b) REPORT BY THE COMPTROLLER GENERAL OF THE UNITED STATES.—Not later than 3 months (but not earlier than 6 months) before the end of the 2-year period referred to in section 414a(h) of title 39, United States Code (as amended by subsection (a)), the Comptroller General of the United States shall submit to Congress a report on the operation of such section. Such report shall include—

(1) an evaluation of the effectiveness and the appropriateness of the authority provided by such section as a means of fundraising; and

(2) a description of the monetary and other resources required of the Postal Service in carrying out such section.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF SECTIONS.—The table of sections for chapter 4 of title 39, United States Code, is amended by striking the item relating to section 414 and inserting the following:

''414. Special postage stamps for breast cancer research.

''414a. Special postage stamps for highway-rail grade crossing safety.''.

(2) SECTION HEADING.—The heading for section 414 of title 39, United States Code, is amended to read as follows:

''§414. Special postage stamps for breast cancer research.''.

ADDITIONAL COSPONSORS

S. 223

At the request of Mr. LAUTENBERG, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 223, a bill to help communities modernize public school facilities, and for other purposes.

S. 327

At the request of Mr. HAGEL, the name of the Senator from Nebraska (Mr. KERREY) was added as a cosponsor of S. 327, a bill to exempt agricultural products, medicines, and medical products from U.S. economic sanctions.

S. 333

At the request of Mr. LEAHY, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 333, a bill to amend the Federal Agriculture Improvement and Reform Act of 1996 to improve the farmland protection program.

S. 345

At the request of Mr. ALLARD, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 345, a bill to amend the Animal Welfare Act to remove the limitation that permits interstate movement of live birds, for the purpose of fighting, to States in which animal fighting is lawful.

S. 348

At the request of Ms. SNOWE, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 348, a bill to authorize and facilitate a program to enhance training, research and development, energy conservation and efficiency, and consumer education in the oilheat industry for the benefit of oilheat consumers and the public, and for other purposes.

S. 443

At the request of Mr. LAUTENBERG, the names of the Senator from New York (Mr. MOYNIHAN), the Senator from California (Mrs. FEINSTEIN), the Senator from Massachusetts (Mr. KERRY), and the Senator from Massachusetts (Mr. KENNEDY) were added as cosponsors of S. 443, a bill to regulate the sale of firearms at gun shows.

S. 459

At the request of Mr. BREAUX, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 459, a bill to amend the Internal Revenue Code of 1986 to increase the State ceiling on private activity bonds.

At the request of Mr. HATCH, the name of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 459, supra.

S. 470

At the request of Mr. CHAFEE, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 470, a bill to amend the Internal Revenue Code of 1986 to allow tax-exempt private activity bonds to be issued for highway infrastructure construction.

S. 472

At the request of Mr. GRASSLEY, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 472, a bill to amend title XVIII of the Social Security Act to provide certain medicare beneficiaries with an exemption to the financial limitations imposed on physical, speech-language pathology, and occupational therapy services under part B of the medicare program, and for other purposes.

S. 531

At the request of Mr. ABRAHAM, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 531, a bill to authorize the President to award a gold medal on behalf of the Congress to Rosa Parks in recognition of her contributions to the Nation.

S. 565

At the request of Mr. COVERDELL, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S. 565, a bill to provide for the treatment of the actions of certain foreign narcotics traffickers as an unusual and extraordinary threat to the United States for purposes of the International Emergency Economic Powers Act.

S. 569

At the request of Mr. GRASSLEY, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 569, a bill to amend the Internal Revenue Code of 1986 to exclude certain farm rental income from net earnings from self-employment if the taxpayer enters into a lease agreement relating to such income.

S. 596

At the request of Mrs. BOXER, the name of the Senator from Minnesota (Mr. WELLSTONE) was added as a cosponsor of S. 596, a bill to provide that the annual drug certification procedures under the Foreign Assistance Act of 1961 not apply to certain countries with which the United States has bilateral agreements and other plans relating to counterdrug activities, and for other purposes.

S. 597

At the request of Mr. SMITH, the name of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 597, a bill to amend section 922 of chapter 44 of title 28, United States Code, to protect the right of citizens under the Second Amendment to the Constitution of the United States.

S. 617

At the request of Ms. COLLINS, the name of the Senator from South Carolina (Mr. THURMOND) was added as a cosponsor of S. 617, a bill to amend title XVIII of the Social Security Act to provide for coverage under the medicare program of insulin pumps as items of durable medical equipment.

S. 632

At the request of Mr. DEWINE, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 632, a bill to provide assistance for poison prevention and to stabilize the funding of regional poison control centers.

S. 636

At the request of Mr. REED, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 636, 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.

S. 660

At the request of Mr. BINGAMAN, the names of the Senator from Nevada (Mr. REID), the Senator from Hawaii (Mr. AKAKA), and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 660, a bill to amend title XVIII of the Social Security Act to provide for coverage under part B of the medicare program of medical nutrition therapy services furnished by registered dietitians and nutrition professionals.

S. 668

At the request of Mr. SANTORUM, the name of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 668, a bill to encourage States to incarcerate individuals convicted of murder, rape, or child molestation.

S. 676

At the request of Mr. CAMPBELL, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 676, a bill to locate and secure the return of Zachary Baumel, a citizen of the United States, and other Israeli soldiers missing in action.

S. 689

At the request of Mr. GRASSLEY, the name of the Senator from New York (Mr. MOYNIHAN) was added as a cosponsor of S. 689, a bill to authorize appropriations for the United States Customs Service for fiscal years 2000 and 2001, and for other purposes.

SENATE JOINT RESOLUTION 14

At the request of Mr. HATCH, the name of the Senator from Ohio (Mr.

VOINOVICH) was added as a cosponsor of Senate Joint Resolution 14, a joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.

SENATE RESOLUTION 53

At the request of Mr. DODD, his name was added as a cosponsor of Senate Resolution 53, a resolution to designate March 24, 1999, as ''National School Violence Victims' Memorial Day.''

SENATE RESOLUTION 54

At the request of Mr. FEINGOLD, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of Senate Resolution 54, a resolution condemning the escalating violence, the gross violation of human rights and attacks against civilians, and the attempt to overthrow a democratically elected government in Sierra Leone.

SENATE RESOLUTION 68

At the request of Mrs. BOXER, the names of the Senator from Wisconsin (Mr. FEINGOLD) and the Senator from Oregon (Mr. SMITH) were added as cosponsors of Senate Resolution 68, a resolution expressing the sense of the Senate regarding the treatment of women and girls by the Taliban in Afghanistan.

SENATE RESOLUTION 71

At the request of Mr. ABRAHAM, the names of the Senator from Nebraska (Mr. HAGEL) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of Senate Resolution 71, a resolution expressing the sense of the Senate rejecting a tax increase on investment income of certain associations.

SENATE RESOLUTION 74—EXPRESSING THE SUPPORT OF THE SENATE FOR THE MEMBERS OF THE UNITED STATES ARMED FORCES WHO ARE ENGAGED IN MILITARY OPERATIONS AGAINST THE FEDERAL REPUBLIC OF YUGOSLAVIA

Mr. LOTT (for himself, Mr. DASCHLE, and all other Senators) submitted the following resolution; which was considered and agreed to:

S. RES. 74

Whereas the President has authorized United States participation in NATO military operations against the Federal Republic of Yugoslavia;

Whereas up to 22,000 members of the Armed Forces are presently involved in operations in and around the Balkans region with the active participation of NATO and other coalition forces; and

Whereas the Senate and the American people have the greatest pride in the members of the Armed Forces and strongly support them: Now, therefore, be it

Resolved, That the Senate supports the members of the United States Armed Forces who are engaged in military operations against the Federal Republic of Yugoslavia and recognizes their professionalism, dedication, patriotism, and courage.

AMENDMENTS SUBMITTED ON MARCH 23, 1999

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR FISCAL YEAR 1999

BINGAMAN AMENDMENT NO. 125

Mr. STEVENS (for Mr. BINGAMAN) proposed an amendment to the bill (S. 544) making emergency supplemental appropriations and rescissions for recovery from natural disasters, and foreign assistance, for the fiscal year ending September 30, 1999, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ___. FINDINGS AND SENSE OF SENATE REGARDING SEQUENTIAL BILLING POLICY FOR HOME HEALTH PAYMENTS UNDER THE MEDICARE PROGRAM.

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

(1) Section 4611 of the Balanced Budget Act of 1997 included a provision that transfers financial responsibility for certain home health visits under the medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) from part A to part B of such program.

(2) The sole intent of the transfer described in paragraph (1) was to extend the solvency of the Federal Hospital Insurance Trust Fund under section 1817 of such Act (42 U.S.C. 1395i).

(3) The transfer described in paragraph (1) was supposed be ''seamless'' so as not to disrupt the provision of home health services under the medicare program.

(4) The Health Care Financing Administration has imposed a sequential billing policy that prohibits home health agencies under the medicare program from submitting claims for reimbursement for home health services provided to a beneficiary unless all claims for reimbursement for home health services that were previously provided to such beneficiary have been completely resolved.

(5) The Health Care Financing Administration has also expanded medical reviews of claims for reimbursement submitted by home health agencies, resulting in a significant slowdown nationwide in the processing of such claims.

(6) The sequential billing policy described in paragraph (4), coupled with the slowdown in claims processing described in paragraph (5), has substantially increased the cash flow problems of home health agencies because payments are often delayed by at least 3 months.

(7) The vast majority of home health agencies under the medicare program are small businesses that cannot operate with significant cash flow problems.

(8) There are many other elements under the medicare program relating to home health agencies, such as the interim payment system under section 1861(v)(1)(L) of such Act (42 U.S.C. 1395x(v)(1)(L)), that are creating financial problems for home health agencies, thereby forcing more than 2,200 home health agencies nationwide to close since the date of enactment of the Balanced Budget Act of 1997.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Health Care Financing Administration should—

(1) evaluate and monitor the use of the sequential billing policy (as described in subsection (a)(4)) in making payments to home health agencies under the medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.);

(2) ensure that—

(A) contract fiscal intermediaries under the medicare program are timely in their random medical review of claims for reimbursement submitted by home health agencies; and

(B) such intermediaries adhere to Health Care Financing Administration instructions that limit the number of claims for reimbursement held for such review for any particular home health agency to no more than 10 percent of the total number of claims submitted by the agency; and

(3) ensure that such intermediaries are considering and implementing constructive alternatives, such as expedited reviews of claims for reimbursement, for home health agencies with no history of billing problems who have cash flow problems due to random medical reviews and sequential billing.

LEAHY (AND OTHERS) AMENDMENT NO. 126

Mr. STEVENS (for Mr. LEAHY for himself, Mr. JEFFORDS, and Ms. COLLINS) proposed an amendment to the bill, S. 544, supra; as follows:

On page 2, between lines 20 and 21, insert the following:

AGRICULTURAL MARKETING SERVICE

For an additional amount to carry out the agricultural marketing assistance program under the Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.), $200,000, and the rural business enterprise grant program under section 310B(c) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(c)), $500,000: *Provided*, That the entire amount shall be available only to the extent an official budget request for $700,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to Congress: *Provided further*, That the entire amount is designated by Congress as an emergency requirement under section 251(b)(2)(A) of such Act.

On page 37, between lines 9 and 10, insert the following:

FARM SERVICE AGENCY

EMERGENCY CONSERVATION FUND

Of the amount made available under the heading ''EMERGENCY CONSERVATION PROGRAM'' in chapter 1 of title II of the 1998 Supplemental Appropriations and Rescissions Act (Public Law 105–174; 112 Stat. 68), $700,000 are rescinded.

LINCOLN (AND OTHERS) AMENDMENT NO. 127

Mr. STEVENS (for Mrs. LINCOLN for herself, Mr. HUTCHINSON, and Mr. WYDEN) proposed an amendment to the bill, S. 544, supra; as follows:

On page 7, between lines 8 and 9, insert the following:

GENERAL PROVISION, THIS CHAPTER

SEC. ___. CROP INSURANCE OPTIONS FOR PRODUCERS WHO APPLIED FOR CROP REVENUE COVERAGE PLUS.—(a) ELIGIBLE PRODUCERS.—This section applies with respect to a producer eligible for insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) who applied for the supplemental crop insurance endorsement known as Crop Revenue Coverage PLUS (referred to in this section as

''CRCPLUS'') for the 1999 crop year for a spring planted agricultural commodity.

(b) ADDITIONAL PERIOD FOR OBTAINING OR TRANSFERRING COVERAGE.—Notwithstanding the sales closing date for obtaining crop insurance coverage established under section 508(f)(2) of the Federal Crop Insurance Act (7 U.S.C. 1508(f)(2)) and notwithstanding any other provision of law, the Federal Crop Insurance Corporation shall provide a 14-day period beginning on the date of enactment of this Act, but not to extend beyond April 12, 1999, during which a producer described in subsection (a) may—

(1) with respect to a federally reinsured policy, obtain from any approved insurance provider a level of coverage for the agricultural commodity for which the producer applied for the CRCPLUS endorsement that is equivalent to or less than the level of federally reinsured coverage that the producer applied for from the insurance provider that offered the CRCPLUS endorsement; and

(2) transfer to any approved insurance provider any federally reinsured coverage provided for other agricultural commodities of the producer by the same insurance provider that offered the CRCPLUS endorsement, as determined by the Corporation.

GRAMM AMENDMENT NO. 128

Mr. GRAMM proposed an amendment to the bill, S. 544, supra; as follows:

At the end of the bill, add the following:

SEC. . (a) Notwithstanding any other provision of this Act, none of the amounts provided by this Act are designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) An additional amount of $2,250,000,000 is rescinded as provided in section 3002 of this Act.

GRAMM AMENDMENT NO. 129

Mr. GRAMM proposed an amendment to amendment No. 128 proposed by him to the bill, S. 544, supra; as follows:

At the end of the bill, add the following:

SEC. . (a) Notwithstanding any other provision of this Act, none of the amounts provided by this Act are designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MURKOWSKI AMENDMENT NO. 130

Mr. MURKOWSKI proposed an amendment to the bill, S. 544, supra; as follows:

At the appropriate place in the bill, insert the following:

SEC. . GLACIER BAY.—No funds may be expended by the Secretary of the Interior to implement closures or other restrictions of subsistence or commercial fishing or subsistence gathering in Glacier Bay National Park, except the closure of Dungeness crab fisheries under Section 123(b) of the Department of the Interior and Related Agencies Appropriations Act, 1999, (section 101(e) of division A of Public Law 105–277), until such time as the State of Alaska's legal claim to ownership and jurisdiction over submerged lands and tidelands in the affected area has been resolved either by a final determination by the judiciary or by a settlement between the parties to the lawsuit.''

ROBB (AND OTHERS) AMENDMENT NO. 131

Mr. ROBB (for himself, Ms. SNOWE, Mr. LEAHY, Mr. BINGAMAN, Ms. FEINSTEIN, and Mr. KERREY) proposed an amendment to the bill, S. 544, supra; as follows:

On page 27, between lines 11 and 12, insert the following:

SEC. 203. (a) AUTHORITY TO MAKE PAYMENTS.—Subject to the provisions of this section, the Secretary of Defense is authorized to make payments for the settlement of the claims arising from the deaths caused by the accident involving a United States Marine Corps EA–6B aircraft on February 3, 1998, near Cavalese, Italy.

(b) DEADLINE FOR EXERCISE OF AUTHORITY.—The Secretary shall make the decision to exercise the authority in subsection (a) not later than 90 days after the date of enactment of this Act.

(c) SOURCE OF PAYMENTS.—Notwithstanding any other provision of law, of the amounts appropriated or otherwise made available for the Department of Navy for operation and maintenance for fiscal year 1999 or other unexpended balances from prior years, the Secretary shall make available $40 million only for emergency and extraordinary expenses associated with the settlement of the claims arising from the accident described in subsection (a).

(d) AMOUNT OF PAYMENT.—The amount of the payment under this section in settlement of the claims arising from the death of any person associated with the accident described in subsection (a) may not exceed $2,000,000.

(e) TREATMENT OF PAYMENTS.—Any amount paid to a person under this section is intended to supplement any amount subsequently determined to be payable to the person under section 127 or chapter 163 of title 10, United States Code, or any other provision of law for administrative settlement of claims against the United States with respect to damage arising from the accident described in subsection (a).

(f) CONSTRUCTION.—The payment of an amount under this section may not be considered to constitute a statement of legal liability on the part of the United States or otherwise as evidence of any material fact in any judicial proceeding or investigation arising from the accident described in subsection (a).

HELMS AMENDMENT NO. 132

Mr. STEVENS (for Mr. HELMS) proposed an amendment to the bill, S. 544, supra; as follows:

On page 30, between lines 10 and 11, insert the following:

CHAPTER 7

DEPARTMENT OF STATE RELATED AGENCY

UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

For necessary expenses for the United States Commission on International Religious Freedom, as authorized by title II of the International Religious Freedom Act of 1998 (Public Law 105–292), $3,000,000, to remain available until expended: *Provided*, That the amount of the rescission under chapter 2 of title III of this Act under the heading ''CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS'' is hereby increased by $3,000,000.

GRASSLEY AMENDMENT NO. 133

Mr. STEVENS (for Mr. GRASSLEY) proposed an amendment to the bill, S. 544, supra; as follows:

At the appropriate place, insert the following:

On page 24, line 2, after ''expended.'' insert the following: ''Provided further, That from unobligated balances in this account available under the heading 'climate and global change research', $2,000,000 shall be made available for regional applications programs at the University of Northern Iowa consistent with the direction in the report to accompany Public Law 105–277.''

On page 38, line 13, strike ''$2,000,000'' and insert ''$1,000,000''.

STEVENS AMENDMENT NO. 134

Mr. STEVENS proposed an amendment to the bill, S. 544, supra; as follows:

On page 27, line 12, insert the following:

SEC. . Notwithstanding any other provision of law, a military technician (dual status) (as defined in section 10216 of title 10) performing active duty without pay while on leave from technician employment under section 6323(d) of title 5 may, in the discretion of the Secretary concerned, be authorized a per diem allowance under this title, in lieu of commutation for subsistence and quarters as described in Section 1002(b) of title 37, United States Code.

STEVENS AMENDMENT NO. 135

Mr. STEVENS proposed an amendment to the bill, S. 544, supra; as follows:

At the end of Title II of the bill insert the following:

''SEC. . A payment of $800,000 from the total amount of $1,000,000 for construction of the Pike's Peak Summit House, as specified in Conference Report 105–337, accompanying the Department of the Interior and Related Agencies Appropriations Act for fiscal year 1998, P.L. 105–83, and payments of $2,000,000 for the Borough of Ketchikan to participate in a study of the feasibility and dynamics of manufacturing veneer products in Southeast Alaska and $200,000 for construction of the Pike's Peak Summit House, as specified in Conference Report 105–825 accompanying the Department of the Interior and Related Agencies Appropriations Act for fiscal year 1999 (as contained in Division A, section 101(e) of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277), shall be paid in lump sum and shall be considered direct payments, for the purposes of all applicable law except that these direct grants may not be used for lobbying activities.''

GREGG AMENDMENT NO. 136

Mr. STEVENS (for Mr. GREGG) proposed an amendment to the bill, S. 544, supra; as follows:

At the appropriate place in title II insert:

SEC. . Section 617 of the Department of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999 (as added by section 101(b) of division A of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277)) is amended—

(1) by striking subsection (a) and inserting in lieu thereof the following:

''(a) None of the funds made available in this Act or any other Act hereafter enacted may be used to issue or renew a fishing permit or authorization for any fishing vessel of the United States greater than 165 feet in registered length, of more than 750 gross registered tons, or that has an engine or engines capable of producing a total of more than 3,000 shaft horsepower as specified in the permit application required under part 648.4(a)(5) of title 50, Code of Federal Regulations, part 648.12 of title 50, Code of Federal

Regulations, and the authorization required under part 648.80(d)(2) of title 50, Code of Federal Regulations, to engage in fishing for Atlantic mackerel or herring (or both) under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), unless the regional fishery management council of jurisdiction recommends after October 21, 1998, and the Secretary of Commerce approves, conservation and management measures in accordance with such Act to allow such vessel to engage in fishing for Atlantic mackerel or herring (or both).''; and

(2) in subsection (b), by striking ''subsection (a)(1)'' and inserting ''subsection (a)''.

DASCHLE AMENDMENT NO. 137

Mr. STEVENS (for Mr. DASCHLE) proposed an amendment to the bill, S. 544, supra; as follows:

At the appropriate place at the end of Title II, insert:

SEC. . The Corps of Engineers is directed to reprogram $800,000 of the funds made available to that agency in Fiscal Year 1999 for the operation of the Pick-Sloan project to perform the preliminary work needed to transfer Federal lands to the tribes and state of South Dakota, and to provide the Lower Brule Sioux Tribe and Cheyenne River Sioux Tribe with funds to begin protecting invaluable Indian cultural sites, under the Cheyenne River Sioux Tribe, Lower Brule Sioux Tribe, and State of South Dakota Terrestrial Wildlife Habitat Restoration Act.

STEVENS AMENDMENT NO. 138

Mr. STEVENS proposed an amendment to the bill, S. 544, supra; as follows:

In the appropriate place in the bill, insert the following new section:

''SEC. . OPERATIONAL SUPPORT AIRCRAFT MULTI-YEAR LEASING DEMONSTRATION PROJECT.

(a) AUTHORITY TO LEASE.—Effective on or after October 1, 1999, the Secretary of the Air Force may obtain transportation for operational support purposes, including transportation for combatant Commanders in Chief, by lease of aircraft, on such terms and conditions as the Secretary may deem appropriate, consistent with this section, through an operating lease consistent with OMB Circular A–11.

(b) MAXIMUM LEASE TERM FOR MULTI-YEAR LEASE.—The term of any lease into which the Secretary enters under this section shall not exceed ten years from the date on which the lease takes effect.

(c) COMMERCIAL TERMS.—The Secretary may include terms and conditions in any lease into which the Secretary enters under this section that are customary in the leasing of aircraft by a non-governmental lessor to a non-government lessee.

(d) TERMINATION PAYMENTS.—The Secretary may, in connection with any lease into which the Secretary enters under this section, to the extent the Secretary deems appropriate, provide for special payments to the lessor if either the Secretary terminates or cancels the lease prior to the expiration of its term or the aircraft is damaged or destroyed prior to the expiration of the term of the lease. In the event of termination or cancellation of the lease, the total value of such payments shall not exceed the value of one year's lease payment.

(e) OBLIGATION AND EXPENDITURE OF FUNDS.—Notwithstanding any other provision of law,

(1) an obligation need not be recorded upon entering into a lease under this section, in order to provide for the payments described in subsection (d) above, and

(2) any payments required under a lease under this section, and any payments made pursuant to subsection (d) above, may be made from—

(A) appropriations available for the performance of the lease at the time the lease takes effect;

(B) appropriations for the operation and maintenance available at the time which the payment is due; and

(C) funds appropriated for those payments.

(f) OTHER AUTHORITY PRESERVED.—The authority granted to the Secretary of the Air Force by this section is separate from and in addition to, and shall not be construed to impair or otherwise effect the authority of the Secretary to procure transportation or enter into leases under a provision of law other than this section.''.

ENZI (AND BINGAMAN) AMENDMENT NO. 139

Mr. STEVENS (for Mr. ENZI for himself and Mr. BINGAMAN) proposed an amendment to the bill, S t44, supra; as follows:

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

''SEC. . For an additional amount for the Livestock Assistance Program under Public Law 105–277, $70,000,000. *Provided,* That the entire amount shall be available only to the extent an official budget request for $70,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.'' and;

An additional amount of $250,000,000 is rescinded as provided in Section 3002 of this Act.

BINGAMAN (AND OTHERS) AMENDMENT NO. 140

Mr. STEVENS (for Mr. BINGAMAN for himself, Mr. ENZI, and Mr. DOMENICI) proposed an amendment to the bill, S. 544, supra; as follows:

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

''SEC. . DEDUCTION FOR OIL AND GAS PRODUCTION.

''(a) DEDUCTION.—Subject to the limitations in subsection (c), the Secretary of the Interior shall allow lessees operating one or more qualifying wells on public land to deduct from the amount of royalty otherwise payable to the Secretary on production from a qualifying well, the amount of expenditures made by such lessees after April 1, 1999 to—

''(A) increase oil or gas production from existing wells on public land;

''(B) drill new oil or gas wells on existing leases on public land; or

''(C) explore for oil or gas on public land.

''(b) DEFINITIONS.—For purposes of this section—

''(1) the term 'lessee' means any person to whom the United States issues a lease for oil and gas exploration, production, or development on public land, or any person to whom operating rights in such lease have been assigned;

''(2) the term 'public land' has the same meaning given such term in section 103(e) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702(e)); and

''(3) the term 'qualifying well' means any well for the production of natural gas, crude oil, or both that is on public land and—

''(A) has production that is treated as marginal production under section 631A(c)(6) of the Internal Revenue Code of 1986; or

''(B) has been classified as a qualifying well by the Secretary of the Interior for purposes of maximizing the benefits of this section.

''(c) SUNSET.—The Secretary of the Interior shall not allow a deduction under this section after—

''(1) September 30, 2000;

''(2) the thirtieth consecutive day on which the price for West Texas Intermediate crude oil on the New York Mercantile Exchange closes above $18 per barrel; or

''(3) lessees have deducted a total of $123,000,000 under this section—whichever occurs first.

''(d) ADMINISTRATIVE COSTS.—For necessary expenses of the Department of the Interior under this section, $2,000,000 is appropriated to the Secretary of the Interior, to remain available until expended.

''(e) EMERGENCY DESIGNATION.—The entire amount made available to carry out this section—

''(1) shall be available only to the extent an official budget request for $125,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress, and

''(2) is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act; and

An additional amount of $125,000,000 is rescinded as provided in Section 3002 of this Act.

DOMENICI (AND OTHERS) AMENDMENT NO. 141

Mr. STEVENS (for Mr. DOMENICI for himself, Ms. LANDRIEU, Mr. MURKOWSKI, Mrs. HUTCHISON, and Mr. BINGAMAN) proposed an amendment to the bill, S. 544, supra; as follows:

On page 23, between lines 8 and 9, insert the following:

SEC. ___. PETROLEUM DEVELOPMENT MANAGEMENT.

(a) SHORT TITLE.—This section may be cited as the ''Emergency Oil and Gas Guaranteed Loan Program Act''.

(b) FINDINGS.—Congress finds that—

(1) consumption of foreign oil in the United States is estimated to equal 56 percent of all oil consumed, and that percentage could reach 68 percent by 2010 if current prices prevail;

(2) the number of oil and gas rigs operating in the United States is at its lowest since 1944, when records of this tally began;

(3) if prices do not increase soon, the United States could lose at least half its marginal wells, which in aggregate produce as much oil as the United States imports from Saudi Arabia;

(4) oil and gas prices are unlikely to increase for at least several years;

(5) declining production, well abandonment, and greatly reduced exploration and development are shrinking the domestic oil and gas industry;

(6) the world's richest oil producing regions in the Middle East are experiencing increasingly greater political instability;

(7) United Nations policy may make Iraq the swing oil producing nation, thereby granting Saddam Hussein tremendous power;

(8) reliance on foreign oil for more than 60 percent of our daily oil and gas consumption is a national security threat;

(9) the level of United States oil security is directly related to the level of domestic production of oil, natural gas liquids, and natural gas; and

(10) a national security policy should be developed that ensures that adequate supplies of oil are available at all times free of the threat of embargo or other foreign hostile acts.

(c) DEFINITIONS.—In this section:

(1) BOARD.—The term ''Board'' means the Loan Guarantee Board established by subsection (e).

(2) PROGRAM.—The term ''Program'' means the Emergency Oil and Gas Guaranteed Loan Program established by subsection (d).

(3) QUALIFIED OIL AND GAS COMPANY.—The term ''qualified oil and gas company'' means a company that—

(A) is incorporated under the laws of any State;

(B) is—

(i) an independent oil and gas company (within the meaning of section 57(a)(2)(B)(i) of the Internal Revenue Code of 1986); or

(ii) a small business concern under section 3 of the Small Business Act (15 U.S.C. 632) that is an oil field service company whose main business is providing tools, products, personnel, and technical solutions on a contractual basis to exploration and production operators who drill, complete, produce, transport, refine and sell hydrocarbons and their by-products as their main commercial business; and

(C) has experienced layoffs, production losses, or financial losses since the beginning of the oil import crisis, after January 1, 1997.

(d) EMERGENCY OIL AND GAS GUARANTEED LOAN PROGRAM.—

(1) IN GENERAL.—There is established the Emergency Oil and Gas Guaranteed Loan Program, the purpose of which shall be to provide loan guarantees to qualified oil and gas companies in accordance with this section.

(2) LOAN GUARANTEE BOARD.—There is established to administer the Program a Loan Guarantee Board, to be composed of—

(A) the Secretary of Commerce, who shall serve as Chairperson of the Board;

(B) the Secretary of Labor; and

(C) the Secretary of the Treasury;

(e) AUTHORITY.—

(1) IN GENERAL.—The Program may guarantee loans provided to qualified oil and gas companies by private banking and investment institutions in accordance with procedures, rules, and regulations established by the Board.

(2) TOTAL GUARANTEE LIMIT.—The aggregate amount of loans guaranteed and outstanding at any 1 time under this section shall not exceed $500,000,000.

(3) INDIVIDUAL GUARANTEE LIMIT.—The aggregate amount of loans guaranteed under this section with respect to a single qualified oil and gas company shall not exceed $10,000,000.

(4) MINIMUM GUARANTEE AMOUNT.—No single loan in an amount that is less than $250,000 may be guaranteed under this section.

(5) EXPEDITIOUS ACTION ON APPLICATIONS.—The Board shall approve or deny an application for a guarantee under this section as soon as practicable after receipt of an application.

(f) REQUIREMENTS FOR LOAN GUARANTEES.—The Board may issue a loan guarantee on application by a qualified oil and gas company under an agreement by a private bank or investment company to provide a loan to the qualified oil and gas company, if the Board determines that—

(1) credit is not otherwise available to the company under reasonable terms or conditions sufficient to meet its financing needs, as reflected in the financial and business plans of the company;

(2) the prospective earning power of the company, together with the character and value of the security pledged, provide a reasonable assurance of repayment of the loan to be guaranteed in accordance with its terms;

(3) the loan to be guaranteed bears interest at a rate determined by the Board to be reasonable, taking into account the current average yield on outstanding obligations of the United States with remaining periods of maturity comparable to the maturity of the loan; and

(4) the company has agreed to an audit by the General Accounting Office, before issuance of the loan guarantee and annually while the guaranteed loan is outstanding.

(g) TERMS AND CONDITIONS OF LOAN GUARANTEES.—

(1) LOAN DURATION.—All loans guaranteed under this section shall be repayable in full not later than December 31, 2010, and the terms and conditions of each such loan shall provide that the loan agreement may not be amended, or any provision of the loan agreement waived, without the consent of the Board.

(2) LOAN SECURITY.—A commitment to issue a loan guarantee under this section shall contain such affirmative and negative covenants and other protective provisions as the Board determines are appropriate. The Board shall require security for the loans to be guaranteed under this section at the time at which the commitment is made.

(3) FEES.—A qualified oil and gas company receiving a loan guarantee under this section shall pay a fee in an amount equal to 0.5 percent of the outstanding principal balance of the guaranteed loan to the Department of the Treasury.

(h) REPORTS.—During fiscal year 1999 and each fiscal year thereafter until each guaranteed loan has been repaid in full, the Secretary of Commerce shall submit to Congress a report on the activities of the Board.

(i) SALARIES AND ADMINISTRATIVE EXPENSES.—For necessary expenses to administer the Program, $2,500,000 is appropriated to the Department of Commerce, to remain available until expended, which may be transferred to the Office of the Assistant Secretary for Trade Development of the International Trade Administration.

(j) TERMINATION OF GUARANTEE AUTHORITY.—The authority of the Board to make commitments to guarantee any loan under this section shall terminate on December 31, 2001.

(k) REGULATORY ACTION.—Not later than 60 days after the date of enactment of this Act, the Board shall issue such final procedures, rules, and regulations as are necessary to carry out this section.

(l) EMERGENCY DESIGNATION.—The entire amount made available to carry out this section—

(1) is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)); and

(2) shall be available only to the extent that the President submits to Congress a budget request that includes designation of the entire amount of the request as an emergency requirement.

LOTT AMENDMENT NO. 142

Mr. STEVENS (for Mr. LOTT) proposed an amendment to the bill, S. 544, supra; as follows:

At the appropriate place, insert the following: ''that the presiding officer of the Senate should apply all precedents of the Senate under Rule 16, in effect at the conclusion of the 103rd Congress.''

AMENDMENT SUBMITTED ON MARCH 24, 1999

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2000

ABRAHAM (AND OTHERS) AMENDMENT NO. 143

Mr. ABRAHAM (for himself, Mr. DOMENICI, Mr. ASHCROFT, Mr. LOTT, Mr. ROTH, Mr. VOINOVICH, Mr. GRAMS, Mr. GREGG, Ms. COLLINS, Mr. HAGEL, Mr. SANTORUM, Mr. CRAIG, Mr. MCCAIN, and Mr. FITZGERALD) proposed an amendment to the concurrent resolution (S. Con. Res. 20) setting forth the congressional budget for the United States Government for fiscal years 2000 through 2009; as follows:

SEC. XX. FINDINGS; SENSE OF CONGRESS ON THE PROTECTION OF THE SOCIAL SECURITY SURPLUSES.

(a) The Congress finds that—

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

(2) reducing the federal debt held by the public is a top national priority, strongly supported on a bipartisan basis, as evidenced by Federal Reserve Chairman Alan Greenspan's comments that debt reduction ''is a very important element in sustaining economic growth,'' as well as President Clinton's comments that it ''is very, very important that we get the government debt down'' when referencing his own plans to use the budget surplus to reduce federal debt held by the public;

(3) according to the Congressional Budget Office, balancing the budget excluding the surpluses generated by the Social Security trust funds will reduce debt held by the public by a total of $1,723,000,000,000 by the end of fiscal year 2009, $417,000,000,000, or 32 per cent, more than it would be reduced under the President's fiscal year 2000 budget submission;

(4) further according to the Congressional Budget Office, that the President's budget would actually spend $40,000,000,000 of the Social Security surpluses in fiscal year 2000 on new spending programs, and spend $158,000,000,000 of the Social Security surpluses on new spending programs from fiscal year 2000 through 2004; and

(5) Social Security surpluses should be used for Social Security reform or to reduce the debt held by the public and should not be used for other purposes.

(b) It is the sense of Congress that the functional totals in this concurrent resolution on the budget assume that Congress shall pass legislation which—

(1) Reaffirms the provisions of section 13301 of the Omnibus Budget Reconciliation Act of 1990 that provides that the receipts and disbursements of the Social Security trust funds shall not be counted for the purposes of the budget submitted by the President, the congressional budget, or the Balanced Budget and Emergency Deficit Control Act of 1985, and provides for a Point of Order within the Senate against any concurrent resolution on the budget, an amendment thereto, or a conference report thereon that violates that section.

(2) Mandates that the Social Security surpluses are used only for the payment of Social Security benefits, Social Security reform or to reduce the federal debt held by the public, and not spent on non-Social Security programs or used to offset tax cuts.

(3) Provides for a Senate super-majority Point of Order against any bill, resolution, amendment, motion or conference report that would use Social Security surpluses on anything other than the payment of Social Security benefits, Social Security reform or the reduction of the federal debt held by the public.

(4) Ensures that all Social Security benefits are paid on time.

(5) Accomodates Social Security reform legislation.

LAUTENBERG AMENDMENT NO. 144

Mr. LAUTENBERG proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the appropriate place, add the following new section:

SEC. ___. SAVING SOCIAL SECURITY AND MEDICARE FIRST.

(a) IN GENERAL.—It shall not be in order in the Senate to consider—

(1) any bill, resolution, motion, amendment, or conference report that would reduce revenues without offsetting them in accordance with the Congressional Budget Act of 1974 until Congress first enacts legislation that—

(A) ensures the long-term fiscal solvency of the Social Security Trust Funds and extends the solvency of the Medicare Hospital Insurance Trust Fund by at least 12 years; and

(B) includes a certification that the legislation complies with subparagraph (A); or

(2) any bill, resolution, motion, amendment, or conference report that would increase spending above the levels provided in this resolution, unless such spending increases are offset in accordance with the Congressional Budget Act of 1974 until Congress first enacts legislation that—

(A) ensures the long-term fiscal solvency of the Social Security Trust Funds and extends the solvency of the Medicare Hospital Insurance Trust Fund by at least 12 years; and

(B) includes a certification that the legislation complies with subparagraph (A).

(b) SUPERMAJORITY WAIVER.—

(1) WAIVER.—The point of order in subsection (a) may be waived or suspended only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEALS.—An affirmative vote of three-fifths of the Members, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

ASHCROFT (AND OTHERS) AMENDMENT NO. 145

Mr. ASHCROFT (for himself, Mr. BROWNBACK, Mr. GREGG, Mr. SMITH of New Hampshire, Mr. ABRAHAM, Mr. ENZI, Mr. INHOFE, Mr. ROTH, and Mr. WARNER) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the appropriate place, insert the following:

SEC. ___. SENSE OF THE SENATE THAT THE FEDERAL GOVERNMENT SHOULD NOT INVEST THE SOCIAL SECURITY TRUST FUNDS IN PRIVATE FINANCIAL MARKETS.

It is the sense of the Senate that the assumptions underlying the functional totals in this resolution assume that the Federal Government should not directly invest contributions made to the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund established under section 201 of the Social Security Act (42 U.S.C. 401) in private financial markets.

CRAIG (AND OTHERS) AMENDMENT NO. 146

Mr. CRAIG (for himself, Mr. KERREY, Mr. HELMS, and Mr. INHOFE) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the end of title II, add the following:

SEC. ___. REQUIREMENT TO OFFSET DIRECT SPENDING INCREASES BY DIRECT SPENDING DECREASES.

(a) SHORT TITLE.—This section may be cited as the ''Surplus Protection Amendment''.

(b) IN GENERAL.—In the Senate, for purposes of section 202 of House Concurrent Resolution 67 (104th Congress), it shall not be in order to consider any bill, joint resolution, amendment, motion, or conference report that provides an increase in direct spending unless the increase is offset by a decrease in direct spending.

(c) WAIVER.—This section may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(d) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this section shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the concurrent resolution, bill, or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(e) DETERMINATION OF BUDGET LEVELS.—For purposes of this section, the levels of direct spending for a fiscal year shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

CONRAD AMENDMENT NO. 147

Mr. CONRAD proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

After section 206, insert the following:

SEC. ___. SAVE SOCIAL SECURITY AND MEDICARE FIRST LOCKBOX.

(a) DEFINITION.—In this section, the term ''Social Security and Medicare lockbox'' means with respect to any fiscal year, the Social Security surplus (as described in section 311(b)(1) of the Congressional Budget Act of 1974), and the Medicare surplus reserve, which shall consist of amounts allocated to save the Medicare program as provided in subsection (b).

(b) MEDICARE SURPLUS RESERVE.—

(1) IN GENERAL.—Subject to adjustment pursuant to paragraph (2), the amounts reserved for the Medicare surplus reserve in each year are—

(A) for fiscal year 2000, $0;
(B) for fiscal year 2001, $3,000,000,000;
(C) for fiscal year 2002, $26,000,000,000;
(D) for fiscal year 2003, $15,000,000,000;
(E) for fiscal year 2004, $21,000,000,000;
(F) for fiscal year 2005, $35,000,000,000;
(G) for fiscal year 2006, $63,000,000,000;
(H) for fiscal year 2007, $68,000,000,000;
(I) for fiscal year 2008, $72,000,000,000;
(J) for fiscal year 2009, $73,000,000,000;
(K) for fiscal year 2010, $70,000,000,000;
(L) for fiscal year 2011, $73,000,000,000;
(M) for fiscal year 2012, $70,000,000,000;
(N) for fiscal year 2013, $66,000,000,000; and
(O) for fiscal year 2014, $52,000,000,000.

(2) ADJUSTMENT.—

(A) IN GENERAL.—The amounts in paragraph (1) for each fiscal year shall be adjusted each year in the budget resolution by a fixed percentage equal to the adjustment required to those amounts sufficient to extend the solvency of the Federal Hospital Insurance Trust Fund based on the most recent Report of the Board of Trustees of the Federal Hospital Insurance Trust Fund (intermediate assumptions) through fiscal year 2020 or 12 years after the date of insolvency specified in the 1999 Report, whichever date is later.

(B) LIMIT BASED ON TOTAL SURPLUS.—The Medicare surplus reserve, as adjusted by subparagraph (A), shall not exceed the total budget resolution baseline surplus in any fiscal year.

(c) MEDICARE SURPLUS RESERVE POINT OF ORDER.—It shall not be in order in the Senate to consider any concurrent resolution on the budget (or amendment, motion, or conference report on the resolution) that would decrease the surplus in any of the fiscal years covered by the concurrent resolution below the levels of the Medicare surplus reserve for those fiscal years calculated in accordance with subsection (b)(1).

(d) ENFORCEMENT OF MEDICARE SURPLUS.—After a concurrent resolution on the budget is agreed to, it shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report that would cause a decrease in the Medicare surplus reserve in any of the fiscal years covered by the concurrent resolution.

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

(f) SUPERMAJORITY WAIVER.—

(1) WAIVER.—A bill, resolution, amendment, motion, or conference report violating this section shall be subject to a point of order that may be waived or suspended only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEALS.—An affirmative vote of three-fifths of the Members, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under paragraph (1).

On page 46, strike section 204.

At the end of section 101, insert the following:

(7) MEDICARE SURPLUS RESERVE.—The amounts of the surplus that shall be reserved for Medicare are as follows:

(A) Fiscal year 2000: $0;
(B) Fiscal year 2001: $3,000,000,000;
(C) Fiscal year 2002: $26,000,000,000;
(D) Fiscal year 2003: $15,000,000,000;
(E) Fiscal year 2004: $21,000,000,000;
(F) Fiscal year 2005: $35,000,000,000;
(G) Fiscal year 2006: $63,000,000,000;
(H) Fiscal year 2007: $68,000,000,000;
(I) Fiscal year 2008: $72,000,000,000; and
(J) Fiscal year 2009: $73,000,000,000.

Increase the levels of Federal revenues in section 101(1)(A) by the following amounts:

(1) Fiscal year 2000: $0;
(2) Fiscal year 2001: $3,000,000,000;
(3) Fiscal year 2002: $25,000,000,000;
(4) Fiscal year 2003: $13,000,000,000;
(5) Fiscal year 2004: $18,000,000,000;
(6) Fiscal year 2005: $31,000,000,000;
(7) Fiscal year 2006: $57,000,000,000;
(8) Fiscal year 2007: $58,000,000,000;
(9) Fiscal year 2008: $59,000,000,000; and

(10) Fiscal year 2009: $56,000,000,000.

Change the levels of Federal revenues in section 101(1)(B) by the following amounts:

(1) Fiscal year 2000: $0;
(2) Fiscal year 2001: $3,000,000,000;
(3) Fiscal year 2002: $25,000,000,000;
(4) Fiscal year 2003: $13,000,000,000;
(5) Fiscal year 2004: $18,000,000,000;
(6) Fiscal year 2005: $31,000,000,000;
(7) Fiscal year 2006: $57,000,000,000;
(8) Fiscal year 2007: $58,000,000,000;
(9) Fiscal year 2008: $59,000,000,000; and
(10) Fiscal year 2009: $56,000,000,000.

Reduce the levels of total budget authority and outlays in section 101(2) and section 101(3) by the following amounts:

(1) Fiscal year 2000: $0;
(2) Fiscal year 2001: $0;
(3) Fiscal year 2002: $1,000,000,000;
(4) Fiscal year 2003: $2,000,000,000;
(5) Fiscal year 2004: $3,000,000,000;
(6) Fiscal year 2005: $4,000,000,000;
(7) Fiscal year 2006: $6,000,000,000;
(8) Fiscal year 2007: $10,000,000,000;
(9) Fiscal year 2008: $13,000,000,000; and
(10) Fiscal year 2009: $17,000,000,000.

Increase the levels of surplus in section 101(4) by the following amounts:

(1) Fiscal year 2000: $0;
(2) Fiscal year 2001: $3,000,000,000;
(3) Fiscal year 2002: $26,000,000,000;
(4) Fiscal year 2003: $15,000,000,000;
(5) Fiscal year 2004: $21,000,000,000;
(6) Fiscal year 2005: $35,000,000,000;
(7) Fiscal year 2006: $63,000,000,000;
(8) Fiscal year 2007: $68,000,000,000;
(9) Fiscal year 2008: $72,000,000,000; and
(10) Fiscal year 2009: $73,000,000,000.

Decrease the levels of public debt in section 101(5) by the following amounts:

(1) Fiscal year 2000: $0;
(2) Fiscal year 2001: $3,000,000,000;
(3) Fiscal year 2002: $26,000,000,000;
(4) Fiscal year 2003: $15,000,000,000;
(5) Fiscal year 2004: $21,000,000,000;
(6) Fiscal year 2005: $35,000,000,000;
(7) Fiscal year 2006: $63,000,000,000;
(8) Fiscal year 2007: $68,000,000,000;
(9) Fiscal year 2008: $72,000,000,000; and
(10) Fiscal year 2009: $73,000,000,000.

Decrease the levels of debt held by the public in section 101(6) by the following amounts:

(1) Fiscal year 2000: $0;
(2) Fiscal year 2001: $3,000,000,000;
(3) Fiscal year 2002: $26,000,000,000;
(4) Fiscal year 2003: $15,000,000,000;
(5) Fiscal year 2004: $21,000,000,000;
(6) Fiscal year 2005: $35,000,000,000;
(7) Fiscal year 2006: $63,000,000,000;
(8) Fiscal year 2007: $68,000,000,000;
(9) Fiscal year 2008: $72,000,000,000; and
(10) Fiscal year 2009: $73,000,000,000.

Reduce the levels of budget authority and outlays in section 103(18) for function 900, Net Interest, by the following amounts:

(1) Fiscal year 2000: $0;
(2) Fiscal year 2001: $0;
(3) Fiscal year 2002: $1,000,000,000;
(4) Fiscal year 2003: $2,000,000,000;
(5) Fiscal year 2004: $3,000,000,000;
(6) Fiscal year 2005: $4,000,000,000;
(7) Fiscal year 2006: $6,000,000,000;
(8) Fiscal year 2007: $10,000,000,000;
(9) Fiscal year 2008: $13,000,000,000; and
(10) Fiscal year 2009: $17,000,000,000.

Reduce the levels in section 104(1) by which the Senate Committee on Finance is instructed to reduce revenues by the following amounts:

(1) $0 in fiscal year 2000;
(2) $59,000,000,000 for the period of fiscal years 2000 through 2004; and
(3) $320,000,000,000 for the period of fiscal years 2000 through 2009.

COVERDELL AMENDMENT NO. 148

(Ordered to lie on the table.)

Mr. COVERDELL submitted an amendment intended to be proposed by him to the concurrent resolution, S. Con. Res. 20, as follows:

At the end of title III, add the following:

SEC. ___. RESTRICTION ON RETROACTIVE INCOME AND ESTATE TAX RATE INCREASES.

(a) PURPOSE.—The Senate declares that it is essential to ensure taxpayers are protected against retroactive income and estate tax rate increases.

(b) POINT OF ORDER.—

(1) IN GENERAL.—It shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report, that includes a retroactive Federal income tax rate increase.

(2) DEFINITION.—In this section—

(A) the term ''Federal income tax rate increase'' means any amendment to subsection (a), (b), (c), (d), or (e) of section 1, or to section 11(b) or 55(b), of the Internal Revenue Code of 1986, that imposes a new percentage as a rate of tax and thereby increases the amount of tax imposed by any such section; and

(B) a Federal income tax rate increase is retroactive if it applies to a period beginning prior to the enactment of the provision.

(c) SUPERMAJORITY WAIVER.—

(1) WAIVER.—The point of order in subsection (b) may be waived or suspended only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEALS.—An affirmative vote of three-fifths of the Members, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (b).

(d) EFFECTIVE DATE.—This section takes effect on January 1, 1999.

GRAMS AMENDMENT NO. 149

(Ordered to lie on the table.)

Mr. GRAMS submitted an amendment intended to be proposed by him to the concurrent resolution, S. Con. Res. 20, as follows:

At the appropriate place in the resolution, insert the following new section:

SEC. . SENSE OF THE SENATE ON SAFE-DEPOSIT BOX FOR THE ACCUMULATED ASSETS OF THE SOCIAL SECURITY TRUST FUNDS.

SENSE OF THE SENATE.—It is the sense of the Senate that the Congress should create a safe-deposit box to lock in all the accumulated Social Security surplus in the Social Security Trust Funds by gradually reducing government spending to ensure this surplus be used exclusively for Social Security.

GRAMS (AND CRAPO) AMENDMENT NO. 150

(Ordered to lie on the table.)

Mr. GRAMS (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by them to the concurrent resolution, S. Con. Res. 20, as follows:

In lieu of the matter proposed to be inserted, insert the following:

SEC. ___. RESERVE FUND FOR INCREASED ON-BUDGET SURPLUS IN THE OUT-YEARS.

(a) IN GENERAL.—Any additional on-budget surplus exceeding the level assumed in this resolution during the period of fiscal years 2001 through 2009 as reestimated by the Congressional Budget Office shall be reserved exclusively for tax relief or debt reduction.

(b) ADJUSTMENTS.—The Chairman of the Committee on the Budget of the Senate may reduce the spending and revenue aggregates and may revise committee allocations by taking the additional amount of the on-budget surplus referred to in subsection (a) for tax relief or debt reduction in the period of fiscal year 2001 through 2009.

(c) POINT OF ORDER.—

(1) IN GENERAL.—When the Senate is considering a bill, resolution, amendment, motion, or conference report that uses the additional on-budget surplus reserved in subsection (a) for additional Government spending other than tax relief or debt reduction, a point of order may be made by a Senator against the measure, and if the Presiding Officer sustains that point of order, it may not be offered as an amendment from the floor.

(2) SUPERMAJORITY.—This point of order may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the members, duly chosen and sworn.

(d) BUDGETARY ENFORCEMENT.—Revised allocations and aggregates under subsection (a) shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

BOND AMENDMENT NO. 151

Mr. BOND proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

Strike all after the resolving clause and insert the following:

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2000.

(a) DECLARATION.—Congress determines and declares that this resolution is the concurrent resolution on the budget for fiscal year 2000 including the appropriate budgetary levels for fiscal years 2001 through 2004 as authorized by section 301 of the Congressional Budget Act of 1974.

(b) TABLE OF CONTENTS.—The table of contents for this concurrent resolution is as follows:

Sec. 1. Concurrent resolution on the budget for fiscal year 2000.
Sec. 2. Recommended levels and amounts.
Sec. 3. Social Security.
Sec. 4. Major functional categories.

SEC. 2. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for the fiscal years 2000 through 2004:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution—

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2000: $1,406,025,000,000.
Fiscal year 2001: $1,445,309,000,000.
Fiscal year 2002: $1,507,935,000,000.
Fiscal year 2003: $1,562,820,000,000.
Fiscal year 2004: $1,631,839,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2000: $11,046,000,000.
Fiscal year 2001: $10,612,000,000.
Fiscal year 2002: $10,609,000,000.
Fiscal year 2003: $9,952,000,000.
Fiscal year 2004: $9,490,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2000: $1,546,344,000,000.
Fiscal year 2001: $1,584,835,000,000.
Fiscal year 2002: $1,645,262,000,000.
Fiscal year 2003: $1,715,370,000,000.
Fiscal year 2004: $1,769,129,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2000: $1,531,949,000,000.
Fiscal year 2001: $1,561,030,000,000.

Fiscal year 2002: $1,631,887,000,000.
Fiscal year 2003: $1,699,388,000,000.
Fiscal year 2004: $1,777,965,000,000.

(4) DEFICITS.—For purposes of the enforcement of this resolution, the amounts of the deficits are as follows:

Fiscal year 2000: $125,924,000,000.
Fiscal year 2001: $115,721,000,000.
Fiscal year 2002: $123,952,000,000.
Fiscal year 2003: $136,568,000,000.
Fiscal year 2004: $146,126,000,000.

(5) PUBLIC DEBT.—The appropriate levels of the public debt are as follows:

Fiscal year 2000: $5,778,600,000,000.
Fiscal year 2001: $5,999,800,000,000.
Fiscal year 2002: $6,234,000,000,000.
Fiscal year 2003: $6,498,400,000,000.
Fiscal year 2004: $6,765,100,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of the debt held by the public are as follows:

Fiscal year 2000: $3,532,443,000,000.
Fiscal year 2001: $3,398,722,000,000.
Fiscal year 2002: $3,215,290,000,000.
Fiscal year 2003: $3,034,629,000,000.
Fiscal year 2004: $2,824,701,000,000.

SEC. 3. SOCIAL SECURITY.

(a) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under sections 302, 602, and 311 of the Congressional Budget Act of 1974, the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2000: $468,020,000,000.
Fiscal year 2001: $487,744,000,000.
Fiscal year 2002: $506,293,000,000.
Fiscal year 2003: $527,326,000,000.
Fiscal year 2004: $549,876,000,000.

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302, 602, and 311 of the Congressional Budget Act of 1974, the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2000: $262,175,000,000.
Fiscal year 2001: $283,322,000,000.
Fiscal year 2002: $272,819,000,000.
Fiscal year 2003: $282,098,000,000.
Fiscal year 2004: $275,846,000,000.

SEC. 4. MAJOR FUNCTIONAL CATEGORIES.

Congress determines and declares that the appropriate levels of new budget authority, budget outlays, new direct loan obligations, and new primary loan guarantee commitments for fiscal years 2000 through 2004 for each major functional category are:

(1) National Defense (050):
Fiscal year 2000:
(A) New budget authority, $280,525,000,000.
(B) Outlays, $283,261,000,000.
Fiscal year 2001:
(A) New budget authority, $300,207,000,000.
(B) Outlays, $284,991,000,000.
Fiscal year 2002:
(A) New budget authority, $301,966,000,000.
(B) Outlays, $293,701,000,000.
Fiscal year 2003:
(A) New budget authority, $312,360,000,000.
(B) Outlays, $303,803,000,000.
Fiscal year 2004:
(A) New budget authority, $321,228,000,000.
(B) Outlays, $313,787,000,000.

(2) International Affairs (150):
Fiscal year 2000:
(A) New budget authority, $16,111,000,000.
(B) Outlays, $16,728,000,000.
Fiscal year 2001:
(A) New budget authority, $16,375,000,000.
(B) Outlays, $17,510,000,000.
Fiscal year 2002:
(A) New budget authority, $15,514,000,000.
(B) Outlays, $17,755,000,000.
Fiscal year 2003:
(A) New budget authority, $17,449,000,000.
(B) Outlays, $17,421,000,000.
Fiscal year 2004:
(A) New budget authority, $18,633,000,000.
(B) Outlays, $17,643,000,000.

(3) General Science, Space, and Technology (250):
Fiscal year 2000:
(A) New budget authority, $19,279,000,000.
(B) Outlays, $18,773,000,000.
Fiscal year 2001:
(A) New budget authority, $19,476,000,000.
(B) Outlays, $19,140,000,000.
Fiscal year 2002:
(A) New budget authority, $19,406,000,000.
(B) Outlays, $19,283,000,000.
Fiscal year 2003:
(A) New budget authority, $19,373,000,000.
(B) Outlays, $19,135,000,000.
Fiscal year 2004:
(A) New budget authority, $19,369,000,000.
(B) Outlays, $19,163,000,000.

(4) Energy (270):
Fiscal year 2000:
(A) New budget authority, $1,165,000,000.
(B) Outlays, $148,000,000.
Fiscal year 2001:
(A) New budget authority, $1,315,000,000.
(B) Outlays, $−605,000,000.
Fiscal year 2002:
(A) New budget authority, $1,056,000,000.
(B) Outlays, $52,000,000.
Fiscal year 2003:
(A) New budget authority, $1,106,000,000.
(B) Outlays, $−15,000,000.
Fiscal year 2004:
(A) New budget authority, $842,000,000.
(B) Outlays, $−155,000,000.

(5) Natural Resources and Environment (300):
Fiscal year 2000:
(A) New budget authority, $24,592,000,000.
(B) Outlays, $24,084,000,000.
Fiscal year 2001:
(A) New budget authority, $23,964,000,000.
(B) Outlays, $24,242,000,000.
Fiscal year 2002:
(A) New budget authority, $23,894,000,000.
(B) Outlays, $23,971,000,000.
Fiscal year 2003:
(A) New budget authority, $23,985,000,000.
(B) Outlays, $24,119,000,000.
Fiscal year 2004:
(A) New budget authority, $23,998,000,000.
(B) Outlays, $23,960,000,000.

(6) Agriculture (350):
Fiscal year 2000:
(A) New budget authority, $15,155,000,000.
(B) Outlays, $13,554,000,000.
Fiscal year 2001:
(A) New budget authority, $13,007,000,000.
(B) Outlays, $11,400,000,000.
Fiscal year 2002:
(A) New budget authority, $11,240,000,000.
(B) Outlays, $9,489,000,000.
Fiscal year 2003:
(A) New budget authority, $11,456,000,000.
(B) Outlays, $9,762,000,000.
Fiscal year 2004:
(A) New budget authority, $11,474,000,000.
(B) Outlays, $9,986,000,000.

(7) Commerce and Housing Credit (370):
Fiscal year 2000:
(A) New budget authority, $11,098,000,000.
(B) Outlays, $5,752,000,000.
Fiscal year 2001:
(A) New budget authority, $11,819,000,000.
(B) Outlays, $6,917,000,000.
Fiscal year 2002:
(A) New budget authority, $15,580,000,000.
(B) Outlays, $11,265,000,000.
Fiscal year 2003:
(A) New budget authority, $15,649,000,000.
(B) Outlays, $11,878,000,000.
Fiscal year 2004:
(A) New budget authority, $15,022,000,000.
(B) Outlays, $11,493,000,000.

(8) Transportation (400):
Fiscal year 2000:
(A) New budget authority, $54,233,000,000.
(B) Outlays, $48,054,000,000.
Fiscal year 2001:
(A) New budget authority, $54,505,000,000.
(B) Outlays, $50,370,000,000.
Fiscal year 2002:
(A) New budget authority, $55,546,000,000.
(B) Outlays, $50,716,000,000.
Fiscal year 2003:
(A) New budget authority, $57,826,000,000.
(B) Outlays, $52,706,000,000.
Fiscal year 2004:
(A) New budget authority, $59,047,000,000.
(B) Outlays, $53,799,000,000.

(9) Community and Regional Development (450):
Fiscal year 2000:
(A) New budget authority, $11,898,000,000.
(B) Outlays, $10,900,000,000.
Fiscal year 2001:
(A) New budget authority, $9,141,000,000.
(B) Outlays, $10,931,000,000.
Fiscal year 2002:
(A) New budget authority, $9,077,000,000.
(B) Outlays, $10,919,000,000.
Fiscal year 2003:
(A) New budget authority, $9,234,000,000.
(B) Outlays, $10,232,000,000.
Fiscal year 2004:
(A) New budget authority, $9,217,000,000.
(B) Outlays, $9,694,000,000.

(10) Education, Training, Employment, and Social Services (500):
Fiscal year 2000:
(A) New budget authority, $67,427,000,000.
(B) Outlays, $64,315,000,000.
Fiscal year 2001:
(A) New budget authority, $69,342,000,000.
(B) Outlays, $68,734,000,000.
Fiscal year 2002:
(A) New budget authority, $68,902,000,000.
(B) Outlays, $69,111,000,000.
Fiscal year 2003:
(A) New budget authority, $70,490,000,000.
(B) Outlays, $70,413,000,000.
Fiscal year 2004:
(A) New budget authority, $70,806,000,000.
(B) Outlays, $70,439,000,000.

(11) Health (550):
Fiscal year 2000:
(A) New budget authority, $157,699,000,000.
(B) Outlays, $153,576,000,000.
Fiscal year 2001:
(A) New budget authority, $166,827,000,000.
(B) Outlays, $165,390,000,000.
Fiscal year 2002:
(A) New budget authority, $176,310,000,000.
(B) Outlays, $177,172,000,000.
Fiscal year 2003:
(A) New budget authority, $188,429,000,000.
(B) Outlays, $189,416,000,000.
Fiscal year 2004:
(A) New budget authority, $202,009,000,000.
(B) Outlays, $202,815,000,000.

(12) Medicare (570):
Fiscal year 2000:
(A) New budget authority, $207,313,000,000.
(B) Outlays, $207,342,000,000.
Fiscal year 2001:
(A) New budget authority, $219,958,000,000.
(B) Outlays, $220,098,000,000.
Fiscal year 2002:
(A) New budget authority, $228,786,000,000.
(B) Outlays, $228,414,000,000.
Fiscal year 2003:

(A) New budget authority, $248,871,000,000.
(B) Outlays, $248,998,000,000.
Fiscal year 2004:
(A) New budget authority, $266,671,000,000.
(B) Outlays, $266,850,000,000.
(13) Income Security (600):
Fiscal year 2000:
(A) New budget authority, $256,590,000,000.
(B) Outlays, $259,635,000,000.
Fiscal year 2001:
(A) New budget authority, $268,839,000,000.
(B) Outlays, $271,765,000,000.
Fiscal year 2002:
(A) New budget authority, $282,063,000,000.
(B) Outlays, $285,263,000,000.
Fiscal year 2003:
(A) New budget authority, $291,119,000,000.
(B) Outlays, $295,138,000,000.
Fiscal year 2004:
(A) New budget authority, $301,746,000,000.
(B) Outlays, $303,967,000,000.
(14) Social Security (650):
Fiscal year 2000:
(A) New budget authority, $95,790,000,000.
(B) Outlays, $95,791,000,000.
Fiscal year 2001:
(A) New budget authority, $80,518,000,000.
(B) Outlays, $80,518,000,000.
Fiscal year 2002:
(A) New budget authority, $104,023,000,000.
(B) Outlays, $104,023,000,000.
Fiscal year 2003:
(A) New budget authority, $103,449,000,000.
(B) Outlays, $103,449,000,000.
Fiscal year 2004:
(A) New budget authority, $122,837,000,000.
(B) Outlays, $122,837,000,000.
(15) Veterans Benefits and Services (700):
Fiscal year 2000:
(A) New budget authority, $43,786,000,000.
(B) Outlays, $43,931,000,000.
Fiscal year 2001:
(A) New budget authority, $44,439,000,000.
(B) Outlays, $44,877,000,000.
Fiscal year 2002:
(A) New budget authority, $44,980,000,000.
(B) Outlays, $45,304,000,000.
Fiscal year 2003:
(A) New budget authority, $45,526,000,000.
(B) Outlays, $45,864,000,000.
Fiscal year 2004:
(A) New budget authority, $45,875,000,000.
(B) Outlays, $46,287,000,000.
(16) Administration of Justice (750):
Fiscal year 2000:
(A) New budget authority, $26,616,000,000.
(B) Outlays, $26,608,000,000.
Fiscal year 2001:
(A) New budget authority, $26,988,000,000.
(B) Outlays, $27,189,000,000.
Fiscal year 2002:
(A) New budget authority, $27,160,000,000.
(B) Outlays, $27,146,000,000.
Fiscal year 2003:
(A) New budget authority, $26,901,000,000.
(B) Outlays, $27,044,000,000.
Fiscal year 2004:
(A) New budget authority, $26,924,000,000.
(B) Outlays, $26,995,000,000.
(17) General Government (800):
Fiscal year 2000:
(A) New budget authority, $13,785,000,000.
(B) Outlays, $14,850,000,000.
Fiscal year 2001:
(A) New budget authority, $14,583,000,000.
(B) Outlays, $14,732,000,000.
Fiscal year 2002:
(A) New budget authority, $14,294,000,000.
(B) Outlays, $14,431,000,000.
Fiscal year 2003:
(A) New budget authority, $14,383,000,000.
(B) Outlays, $14,270,000,000.
Fiscal year 2004:
(A) New budget authority, $14,353,000,000.
(B) Outlays, $14,427,000,000.
(18) Net Interest (900):
Fiscal year 2000:
(A) New budget authority, $278,294,000,000.
(B) Outlays, $278,294,000,000.
Fiscal year 2001:
(A) New budget authority, $279,933,000,000.
(B) Outlays, $279,933,000,000.
Fiscal year 2002:
(A) New budget authority, $282,562,000,000.
(B) Outlays, $282,562,000,000.
Fiscal year 2003:
(A) New budget authority, $282,562,000,000.
(B) Outlays, $282,562,000,000.
Fiscal year 2004:
(A) New budget authority, $292,566,000,000.
(B) Outlays, $292,566,000,000.
(19) Allowances (920):
Fiscal year 2000:
(A) New budget authority, $0.
(B) Outlays, $1,365,000,000.
Fiscal year 2001:
(A) New budget authority, $3,000,000,000.
(B) Outlays, $2,299,000,000.
Fiscal year 2002:
(A) New budget authority, $6,000,000,000.
(B) Outlays, $4,425,000,000.
Fiscal year 2003:
(A) New budget authority, $9,000,000,000.
(B) Outlays, $7,000,000,000.
Fiscal year 2004:
(A) New budget authority, $12,000,000,000.
(B) Outlays, $9,900,000,000.
(20) Undistributed Offsetting Receipts (950):
Fiscal year 2000:
(A) New budget authority, $−35,012,000,000.
(B) Outlays, $−35,012,000,000.
Fiscal year 2001:
(A) New budget authority, $−39,401,000,000.
(B) Outlays, $−39,401,000,000.
Fiscal year 2002:
(A) New budget authority, $−43,115,000,000.
(B) Outlays, $−43,115,000,000.
Fiscal year 2003:
(A) New budget authority, $−38,226,000,000.
(B) Outlays, $−38,226,000,000.
Fiscal year 2004:
(A) New budget authority, $−38,488,000,000.
(B) Outlays, $−38,488,000,000.

SMITH (AND OTHERS) AMENDMENT NO. 152

Mr. SMITH of Oregon (for himself, Mr. SARBANES, and Mr. FEINGOLD) proposed an amendment to the concurrent resolution, S. Con. Res. 20, as follows:

At the appropriate place in the bill, insert the following new section and number it accordingly:

SEC. . SENSE OF THE SENATE ON PROVIDING ADEQUATE FUNDING FOR U.S. INTERNATIONAL LEADERSHIP.

(a) FINDINGS.—The Senate finds that—

(1) U.S. international leadership is essential to maintaining security and peace for all Americans;

(2) such leadership depends on effective diplomacy as well as a strong military;

(3) effective diplomacy requires adequate resources both for embassy security and for international programs;

(4) in addition to building peace, prosperity and democracy around the world, programs in the International Affairs (150) account serve U.S. interests by ensuring better jobs and a higher standard of living, promoting the health of our citizens and preserving our natural environment, and protecting the rights and safety of those who travel or do business overseas;

(5) real spending for International Affairs has declined more than 50 percent since the mid-1980s, at the same time that major new challenges and opportunities have arisen from the disintegration of the Soviet Union and the worldwide trends toward democracy and free markets;

(6) current ceilings on discretionary spending will impose severe additional cuts in funding for International Affairs; and

(7) improved security for U.S. diplomatic missions and personnel will place further strain on the International Affairs budget absent significant additional resources.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that additional budgetary resources should be identified for function 150 to enable successful U.S. international leadership.

JOHNSON (AND OTHERS) AMENDMENT NO. 153

Mr. JOHNSON (for himself, Mr. WELLSTONE, Mr. CONRAD, Mr. KERRY, Mr. REID, Mr. JEFFORDS, Mr. MURKOWSKI, Mr. FEINGOLD, Mr. ROBB, Mrs. HUTCHISON, Mr. HUTCHINSON, Mr. INHOFE, Ms. COLLINS, Mr. HATCH, Ms. SNOWE, Mr. THURMOND, Mr. SPECTER, Mr. GRAMS, Mr. CRAIG, Mr. GRASSLEY, and Mr. DOMENICI) proposed an amendment to the concurrent resolution, S. Con. Res. 20, as follows:

On page 31 line 23 strike ''44,724,000,000''. and insert ''46,724,000,000''.

On page 31 line 24 strike ''45,064,000,000''. and insert ''47,064,000,000''.

On page 38 line 15 strike ''8,033,000,000''. and insert ''10,033,000,000''.

On page 38 line 16 strike ''8,094,000,000''. and insert ''10,094,000,000''.

At the appropriate place insert the following:

''(A) It is the sense of the Senate that the provisions in this resolution assume that if CBO determines there is an on-budget surplus for FY 2000, $2 billion of that surplus will be restored to the programs cut in this amendment.

''(B) It is the sense of the Senate that the assumptions underlying this budget resolution assume that none of these offsets will come from defense or veterans, and to the extent possible should come from administrative functions.''

ENZI (AND OTHERS) AMENDMENT NO. 154

(Ordered to lie on the table.)

Mr. ENZI (for himself, Mr. GRASSLEY, and Mr. THOMAS) submitted an amendment intended to be proposed by them to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the appropriate place, insert:

SEC. . SENSE OF THE SENATE THAT AGRICULTURAL RISK MANAGEMENT PROGRAMS SHOULD BENEFIT LIVESTOCK PRODUCERS.

(a) FINDINGS.—The Senate finds that—

(1) extremes in weather-related and natural conditions have a profound impact on the economic viability of producers;

(2) these extremes, such as drought, excessive rain and snow, flood, wind, insect infestation are certainly beyond the control of livestock producers;

(3) these extremes do not impact livestock producers within a state, region or the nation in the same manner or during the same time frame or for the same duration of time;

(4) the livestock producers have a few effective risk management tools at their disposal to adequately manage the short and long term impacts of weather-related or natural disaster situations; and

(5) ad hoc natural disaster assistance programs, while providing some relief, are not sufficient to meet livestock producers' needs for rational risk management planning.

(b) It is the sense of the Senate that any consideration of reform of federal crop insurance and risk management programs should include the needs of livestock producers.

ENZI AMENDMENT NO. 155

(Ordered to lie on the table.)

Mr. ENZI submitted an amendment intended to be proposed by him to the concurrent resolution, S. Con. Res. 20, supra; as follows:

SEC. . SENSE OF THE SENATE ON ELIMINATING THE MARRIAGE PENALTY AND ACROSS THE BOARD INCOME TAX RATE CUTS.

(a) FINDINGS.—The Senate finds that—

(1) The institution of marriage is the cornerstone of the family and civil society;

(2) Strengthening of the marriage commitment and the family is an indispensable step in the renewal of America's culture;

(3) The Federal income tax punishes marriage by imposing a greater tax burden on married couples than on their single counterparts;

(4) America's tax code should give each married couple the choice to be treated as one economic unit, regardless of which spouse earns the income; and

(5) All American taxpayers are responsible for any budget surplus and deserve broad-based tax relief after the Social Security Trust fund has been protected.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that—

(1) Congress should eliminate the marriage penalty in a manner that treats all married couples equally, regardless of which spouse earns the income; and

(2) Congress should implement an equal, across the board reduction in each of the current federal income tax rates as soon as there is a non-Social Security surplus.

COVERDELL (AND OTHERS) AMENDMENT NO. 156

(Ordered to lie on the table.)

Mr. COVERDELL (for himself, Mr. TORRICELLI, and Mr. ABRAHAM) submitted an amendment intended to be proposed by them to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the end of title III, add the following:

SEC. . SENSE OF THE SENATE REGARDING INCENTIVES FOR SMALL SAVERS.

(a) FINDINGS.—The Senate finds that—

(1) in general, the Federal budget will accumulate nearly $800,000,000,000 in non-Social Security surpluses through 2009;

(2) such a level of surplus afford Congress the opportunity to return a portion to the taxpayers in the form of tax relief;

(3) the Federal tax burden is at its highest level in over 50 years;

(4) personal bankruptcy filings reached a record high in 1998 with $40,000,000,000 in debts discharged;

(5) the personal savings rate is at record lows not seen since the Great Depression;

(6) the personal savings rate was 9 percent of income in 1982;

(7) the personal savings rate was 5.7 percent of income in 1992;

(8) the personal savings rate plummeted to 0.5 percent in 1998;

(9) the personal savings rate could plummet to as low as negative 4.5 percent if current trends do not change;

(10) personal savings is important as a means for the American people to prepare for crisis, such as a job loss, health emergency, or some other personal tragedy, or to prepare for retirement;

(11) President Clinton recently acknowledged the low rate of personal savings as a concern;

(12) raising the starting point for the 28 percent personal income tax bracket by $10,000 over 5 years would move 7,000,000 middle-income taxpayers into the lowest income tax bracket;

(13) excluding the first $500 from interest and dividends income, or $250 for singles, would enable 30,000,000 low- and middle-income taxpayers to save tax-free and would translate into approximately $1,000,000,000,000 in savings;

(14) exempting the first $5,000 in capital gains income from capital gains taxation would mean 10,000,000 low- and middle-income taxpayers would no longer pay capital gains tax;

(15) raising the deductible limit for Individual Retirement Account contributions from $2,000 to $3,000, would mean over 5,000,000 taxpayers will be better equipped for retirement; and

(16) tax relief measures to encourage savings and investments for low- and middle-income savers would mean tax relief for nearly 112,000,000 individual taxpayers by—

(A) raising the starting point for the 28 percent personal income tax bracket by $10,000 over 5 years;

(B) excluding from income the first $500 in interest and dividend income ($250 for singles);

(C) exempting from capital gains taxation the first $5,000 in capital gains taxes; and

(D) raising the deductible limit for Individual Retirement Account contributions from $2,000 to $3,000.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this budget resolution and legislation enacted pursuant to this resolution assume that—

(1) Congress will adopt tax relief that provides incentives for savings and investment for low- and middle-income working families that assist in preparing for unexpected emergencies and retirement, such as—

(A) raising the starting point for the 28 percent personal income tax bracket by $10,000 over 5 years;

(B) excluding from income the first $500 in interest and dividend income ($250 for singles);

(C) exempting from capital gains taxation the first $5,000 in capital gains taxes; and

(D) raising the deductible limit for Individual Retirement Account contributions from $2,000 to $3,000; and

(2) tax relief as described in this subsection is fully achievable within the parameters set forth under this budget resolution.

SPECTER (AND HARKIN) AMENDMENT NO. 157

Mr. SPECTER (for himself and Mr. HARKIN) proposed an amendment to the concurrent resolution, S.Con.Res. 20, supra; as follows:

At the end of title II, insert the following:

SEC. _____. RESERVE FUND.

(a) IN GENERAL.—In the Senate, revenue and spending aggregates and allocations may be revised under section 302(a) of the Congressional Budget Act of 1974 for legislation disallowing a Federal income tax deduction for any payment to the Federal Government or any State or local government in connection with any tobacco litigation or settlement and to use $1,400,000,000 of the increased revenues to fund biomedical research at the National Institutes of Health.

(b) REVISED AGGREGATES.—Upon the consideration of legislation pursuant to subsection (a), the Chairman of the Committee on the Budget of the Senate may file increased aggregates to carry out this section. These aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as the aggregates contained in this resolution.

ROTH (AND OTHERS) AMENDMENT NO. 158

(Ordered to lie on the table.

Mr. ROTH (for himself, Mr. BREAUX, Mr. FRIST, Mr. KERREY, Mr. GRAMM, Mr. DOMENICI, Mr. NICKLES, Mr. GRASSLEY, Mr. HATCH, and Mr. THOMPSON) submitted an amendment intended to be proposed by them to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the end of title III, insert the following:

SEC. . SENSE OF THE SENATE REGARDING THE MODERNIZATION AND IMPROVEMENT OF THE MEDICARE PROGRAM.

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

(1) The health insurance coverage provided under the medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) is an integral part of the financial security for retired and disabled individuals, as such coverage protects those individuals against the financially ruinous costs of a major illness.

(2) Expenditures under the medicare program for hospital, physician, and other essential health care services that are provided to nearly 39,000,000 retired and disabled individuals will be $232,000,000,000 in fiscal year 2000.

(3) During the nearly 35 years since the medicare program was established, the Nation's health care delivery and financing system has undergone major transformations. However, the medicare program has not kept pace with such transformations.

(4) Former Congressional Budget Office Director Robert Reischauer has described the medicare program as it exists today as failing on the following 4 key dimensions (known as the ''Four I's'')

(A) The program is inefficient.

(B) The program is inequitable.

(C) The program is inadequate.

(D) The program is insolvent.

(5) The President's budget framework does not devote 15 percent of the budget surpluses to the medicare program. The federal budget process does not provide a mechanism for setting aside current surpluses for future obligations. As a result, the notion of saving 15 percent of the surplus for the medicare program cannot practically be carried out.

(6) The President's budget framework would transfer to the Federal Hospital Insurance Trust Fund more than $900,000,000,000 over 15 years in new IOUs that must be redeemed later by raising taxes on American workers, cutting benefits, or borrowing more from the public, and these new IOUs would increase the gross debt of the Federal Government by the amounts transferred.

(7) The Congressional Budget Office has stated that the transfers described in paragraph (6) which are strictly intragovernmental, have no effect on the unified budget surpluses or the on-budget surpluses and therefore have no effect on the debt held by the public.

(8) The President's budget framework does not provide access to, or financing for, prescription drugs.

(9) The Comptroller General of the United States has stated that the President's medicare proposal does not constitute reform of the program and ''is likely to create a public misperception that something meaningful is being done to reform the Medicare program''.

(10) The Balanced Budget Act of 1997 enacted changes to the medicare program which strengthen and extend the solvency of that program.

(11) The Congressional Budget Office has stated that without changes made to the medicare program by the Balanced Budget Act of 1997, the depletion of the Federal Hospital Insurance Trust Fund would now be imminent.

(12) The President's budget proposes to cut medicare program spending by $19,400,000,000 over 10 years, primarily through reductions in payments to providers under that program.

(13) While the recommendations by Senator John Breaux and Representative William Thomas received the bipartisan support of a majority of members on the National Bipartisan Commission on the Future of Medicare, all of the President's appointees to that commission opposed the bipartisan reform plan.

(14) The Breaux-Thomas recommendations provide for new prescription drug coverage for the neediest beneficiaries within a plan that substantially improves the solvency of the medicare program without transferring new IOUs to the Federal Hospital Insurance Fund that must be redeemed later by raising taxes, cutting benefits, or borrowing more from the public.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the provisions contained in this budget resolution assume the following:

(1) The resolution does not adopt the President's proposals to reduce medicare program spending by $19,400,000,000 over 10 years, nor does this resolution adopt the President's proposal to spend $10,000,000,000 of medicare program funds on unrelated programs.

(2) Congress will not transfer to the Federal Hospital Insurance Trust Fund new IOUs that must be redeemed later by raising taxes on American workers, cutting benefits, or borrowing more from the public.

(3) Congress should work in a bipartisan fashion to extend the solvency of the medicare program and to ensure that benefits under that program will be available to beneficiaries in the future.

(4) The American public will be well and fairly served in this undertaking if the medicare program reform proposes are considered within a framework that is based on the following 5 key principles offered in testimony to the Senate Committee on Finance by the Comptroller General of the United States:

(A) Affordability.

(B) Equity.

(C) Adequacy.

(D) Feasibility.

(E) Public acceptance.

(5) The recommendations by Senator Breaux and Congressman Thomas provide for new prescription drug coverage for the neediest beneficiaries within a plan that substantially improves the solvency of the medicare program without transferring to the Federal Hospital Insurance Trust Fund new IOUs that must be redeemed later by raising taxes, cutting benefits, or borrowing more from the public.

(6) Congress should move expeditiously to consider the bipartisan recommendations of the Chairmen and the National Bipartisan Commission on the Future of Medicare.

(7) Congress should continue to work with the President as he develops and presents his plan to fix the problems of the medicare program.

COLLINS (AND DODD) AMENDMENT NO. 159

Ms. COLLINS (for herself and Mr. DODD) proposed an amendment to the concurrent resolution. S. Con. Res. 20, supra; as follows:

At the end of title III, insert the following:

SEC. . SENSE OF THE SENATE ON TEA–21 FUNDING AND THE STATES.

(a) FINDINGS.—The Senate finds that—

(1) on May 22, 1998, the Senate overwhelmingly approved the conference committee report on H.R. 2400, the Transportation Equity Act for the 21st Century, in a 88–5 roll call vote;

(2) also on May 22, 1998, the House of Representatives approved the conference committee report on this bill in a 297–86 recorded vote;

(3) on June 9, 1998, President Clinton signed this bill into law, thereby making it Public Law 105–178;

(4) the TEA–21 legislation was a comprehensive reauthorization of Federal highway and mass transit programs, which authorized approximately $216,000,000,000 in Federal transportation spending over the next 6 fiscal years;

(5) section 1105 of this legislation called for any excess Federal gasoline tax revenues to be provided to the States under the formulas established by the final version of TEA–21; and

(6) the President's fiscal year 2000 budget request contained a proposal to distribute approximately $1,000,000,000 in excess Federal gasoline tax revenues that was not consistent with the provisions of section 1105 of TEA–21 and would deprive States of needed revenues.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution and any legislation enacted pursuant to this resolution assume that the President's fiscal year 2000 budget proposal to change the manner in which any excess Federal gasoline tax revenues are distributed to the States will not be implemented, but rather any of these funds will be distributed to the States pursuant to section 1105 of TEA–21.

DODD (AND OTHERS) AMENDMENT NO. 160

Mr. DODD (for himself, Mr. JEFFORDS, Mr. KENNEDY, Mr. WELLSTONE, Mrs. MURRAY, Mr. BINGAMAN, Mr. JOHNSON, and Mr. KOHL) proposed an amendment to the concurrent resolution, S. Con. Res. 20, as follows:

On page 3, strike beginning with line 5 through page 5, line 14, and insert the following:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution—

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2000: $1,401,979,000,000.
Fiscal year 2001: $1,435,931,000,000.
Fiscal year 2002: $1,455,992,000,000.
Fiscal year 2003: $1,532,513,000,000.
Fiscal year 2004: $1,586,965,000,000.
Fiscal year 2005: $1,650,257,000,000.
Fiscal year 2006: $1,683,438,000,000.
Fiscal year 2007: $1,737,646,000,000.
Fiscal year 2008: $1,807,517,000,000.
Fiscal year 2009: $1,870,515,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2000: $0.
Fiscal year 2001: −$6,716,000,000.
Fiscal year 2002: −$52,284,000,000.
Fiscal year 2003: −$30,805,000,000.
Fiscal year 2004: −$47,184,000,000.
Fiscal year 2005: −$60,639,000,000.
Fiscal year 2006: −$107,275,000,000.
Fiscal year 2007: −$133,754,000,000.
Fiscal year 2008: −$148,692,000,000.
Fiscal year 2009: −$175,195,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2000: $1,426,931,000,000.
Fiscal year 2001: $1,457,294,000,000.
Fiscal year 2002: $1,488,477,000,000.
Fiscal year 2003: $1,562,013,000,000.
Fiscal year 2004: $1,614,278,000,000.
Fiscal year 2005: $1,667,843,000,000.
Fiscal year 2006: $1,699,402,000,000.
Fiscal year 2007: $1,754,567,000,000.
Fiscal year 2008: $1,815,739,000,000.
Fiscal year 2009: $1,875,969,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2000: $1,408,292,000,000.
Fiscal year 2001: $1,435,931,000,000.
Fiscal year 2002: $1,455,992,000,000.
Fiscal year 2003: $1,532,513,000,000.
Fiscal year 2004: $1,584,066,000,000.
Fiscal year 2005: $1,640,426,000,000.
Fiscal year 2006: $1,668,608,000,000.
Fiscal year 2007: $1,717,883,000,000.
Fiscal year 2008: $1,782,697,000,000.
Fiscal year 2009: $1,842,699,000,000.

On page 28, strike beginning with line 13 through page 31, line 19, and insert the following:

Fiscal year 2000:
(A) New budget authority, $244,390,000,000.
(B) Outlays, $248,088,000,000.
Fiscal year 2001:
(A) New budget authority, $251,873,000,000.
(B) Outlays, $257,750,000,000.
Fiscal year 2002:
(A) New budget authority, $264,620,000,000.
(B) Outlays, $267,411,000,000.
Fiscal year 2003:
(A) New budget authority, $277,886,000,000.
(B) Outlays, $277,674,000,000.
Fiscal year 2004:
(A) New budget authority, $287,576,000,000.
(B) Outlays, $287,384,000,000.
Fiscal year 2005:
(A) New budget authority, $299,942,000,000.
(B) Outlays, $300,126,000,000.
Fiscal year 2006:
(A) New budget authority, $306,155,000,000.
(B) Outlays, $306,593,000,000.
Fiscal year 2007:
(A) New budget authority, $312,047,000,000.
(B) Outlays, $312,948,000,000.
Fiscal year 2008:
(A) New budget authority, $325,315,000,000.
(B) Outlays, $326,766,000,000.
Fiscal year 2009:
(A) New budget authority, $335,562,000,000.
(B) Outlays, $337,104,000,000.

On page 42, strike lines 1 through 5 and insert the following:

(1) to reduce revenues by not more than $0 in fiscal year 2000, $136,989,000,000 for the period of fiscal years 2000 through 2004, and $762,544,000,000 for the period of fiscal years 2000 through 2009; and

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VOINOVICH AMENDMENT NO. 161

Mr. VOINOVICH proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

On page 3, line 10, increase the amount by $7,433,000,000.

On page 3, line 11, increase the amount by $53,118,000,000.

On page 3, line 12, increase the amount by $32,303,000,000.

On page 3, line 13, increase the amount by $49,180,000,000.

On page 3, line 14, increase the amount by $62,637,000,000.

On page 3, line 15, increase the amount by $109,275,000,000.

On page 3, line 16, increase the amount by $135,754,000,000.

On page 3, line 17, increase the amount by $150,692,000,000.

On page 3, line 18, increase the amount by $177,195,000,000.

On page 4, line 5, increase the amount by $7,433,000,000.

On page 4, line 6, increase the amount by $53,118,000,000.

On page 4, line 7, increase the amount by $32,303,000,000.

On page 4, line 8, increase the amount by $49,180,000,000.

On page 4, line 9, increase the amount by $62,637,000,000.

On page 4, line 10, increase the amount by $109,275,000,000.

On page 4, line 11, increase the amount by $135,754,000,000.

On page 4, line 12, increase the amount by $150,692,000,000.

On page 4, line 13, increase the amount by $177,195,000,000.

On page 4, line 18, decrease the amount by $165,000,000.

On page 4, line 19, decrease the amount by $1,566,000,000.

On page 4, line 20, decrease the amount by $3,8924,000,000.

On page 4, line 21, decrease the amount by $6,114,000,000.

On page 4, line 22, decrease the amount by $9,232,000,000.

On page 4, line 23, decrease the amount by $13,931,000,000.

On page 4, line 24, decrease the amount by $20,801,000,000.

On page 4, line 25, decrease the amount by $29,114,000,000.

On page 5, line 1, decrease the amount by $38,871,000,000.

On page 5, line 6, decrease the amount by $165,000,000.

On page 5, line 7, decrease the amount by $1,566,000,000.

On page 5, line 8, decrease the amount by $3,892,000,000.

On page 5, line 9, decrease the amount by $6,114,000,000.

On page 5, line 10, decrease the amount by $9,232,000,000.

On page 5, line 11, decrease the amount by $13,931,000,000.

On page 5, line 12, decrease the amount by $20,801,000,000.

On page 5, line 13, decrease the amount by $29,114,000,000.

On page 5, line 14, decrease the amount by $38,871,000,000.

On page 5, line 19, increase the amount by $7,598,000,000.

On page 5, line 20, increase the amount by $54,684,000,000.

On page 5, line 21, increase the amount by $36,195,000,000.

On page 5, line 22, increase the amount by $55,294,000,000.

On page 5, line 23, increase the amount by $71,869,000,000.

On page 5, line 24, increase the amount by $123,206,000,000.

On page 5, line 25, increase the amount by $156,555,000,000.

On page 6, line 1, increase the amount by $179,806,000,000.

On page 6, line 2, increase the amount by $216,066,000,000.

On page 6, line 6, decrease the amount by $7,598,000,000.

On page 6, line 7, decrease the amount by $62,282,000,000.

On page 6, line 8, decrease the amount by $98,477,000,000.

On page 6, line 9, decrease the amount by $153,771,000,000.

On page 6, line 10, decrease the amount by $225,640,000,000.

On page 6, line 11, decrease the amount by $348,846,000,000.

On page 6, line 12, decrease the amount by $505,401,000,000.

On page 6, line 13, decrease the amount by $685,207,000,000.

On page 6, line 14, decrease the amount by $901,273,000,000.

On page 6, line 18, decrease the amount by $7,598,000,000.

On page 6, line 19, decrease the amount by $62,282,000,000.

On page 6, line 20, decrease the amount by $98,477,000,000.

On page 6, line 21, decrease the amount by $153,771,000,000.

On page 6, line 22, decrease the amount by $225,640,000,000.

On page 6, line 23, decrease the amount by $348,846,000,000.

On page 6, line 24, decrease the amount by $505,401,000,000.

On page 6, line 25, decrease the amount by $685,207,000,000.

On page 7, line 1, decrease the amount by $901,273,000,000.

On page 37, line 2, decrease the amount by $165,000,000.

On page 37, line 3, decrease the amount by $165,000,000.

On page 37, line 6, decrease the amount by $1,566,000,000.

On page 37, line 7, decrease the amount by $1,566,000,000.

On page 37, line 10, decrease the amount by $3,892,000,000.

On page 37, line 11, decrease the amount by $3,892,000,000.

On page 37, line 14, decrease the amount by $6,114,000,000.

On page 37, line 15, decrease the amount by $6,114,000,000.

On page 37, line 18, decrease the amount by $9,232,000,000.

On page 37, line 19, decrease the amount by $9,232,000,000.

On page 37, line 22, decrease the amount by $13,931,000,000.

On page 37, line 23, decrease the amount by $13,931,000,000.

On page 38, line 2, decrease the amount by $20,801,000,000.

On page 38, line 3, decrease the amount by $20,801,000,000.

On page 38, line 6, decrease the amount by $29,114,000,000.

On page 38, line 7, decrease the amount by $29,114,000,000.

On page 38, line 10, decrease the amount by $38,871,000,000.

On page 38, line 11, decrease the amount by $38,871,000,000.

On page 42, strike lines 1 through 5 and lines 15 through 19.

Strike section 201.

REED (AND OTHERS) AMENDMENT NO. 162

Mr. REED (for himself, Mr. SARBANES, Mr. KERRY, and Mrs. MURRAY) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

On page 3, strike beginning with line 5 through page 5, line 14, and insert the following:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution—

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2000: $1,401,979,000,000.
Fiscal year 2001: $1,438,628,000,000.
Fiscal year 2002: $1,461,410,000,000.
Fiscal year 2003: $1,538,283,000,000.
Fiscal year 2004: $1,592,543,000,000.
Fiscal year 2005: $1,656,146,000,000.
Fiscal year 2006: $1,689,262,000,000.
Fiscal year 2007: $1,743,602,000,000.
Fiscal year 2008: $1,813,532,000,000.
Fiscal year 2009: $1,876,549,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2000: $0.
Fiscal year 2001: −$4,019,000,000.
Fiscal year 2002: −$46,866,000,000.
Fiscal year 2003: −$25,035,000,000.
Fiscal year 2004: −$41,606,000,000.
Fiscal year 2005: −$54,750,000,000.
Fiscal year 2006: −$101,451,000,000.
Fiscal year 2007: −$127,798,000,000.
Fiscal year 2008: −$142,677,000,000.
Fiscal year 2009: −$169,161,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2000: $1,433,484,000,000.
Fiscal year 2001: $1,462,731,000,000.
Fiscal year 2002: $1,494,665,000,000.
Fiscal year 2003: $1,567,714,000,000.
Fiscal year 2004: $1,619,458,000,000.
Fiscal year 2005: $1,673,026,000,000.
Fiscal year 2006: $1,704,594,000,000.
Fiscal year 2007: $1,759,769,000,000.
Fiscal year 2008: $1,820,952,000,000.
Fiscal year 2009: $1,881,193,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2000: $1,408,292,000,000.
Fiscal year 2001: $1,438,628,000,000.
Fiscal year 2002: $1,461,410,000,000.
Fiscal year 2003: $1,538,283,000,000.
Fiscal year 2004: $1,589,644,000,000.
Fiscal year 2005: $1,646,315,000,000.
Fiscal year 2006: $1,674,432,000,000.
Fiscal year 2007: $1,723,839,000,000.
Fiscal year 2008: $1,788,712,000,000.
Fiscal year 2009: $1,848,733,000,000.

On page 21, strike beginning with line 20 through 23, line 11, and insert the following:

(9) COMMUNITY AND REGIONAL DEVELOPMENT (450):

Fiscal year 2000:
(A) New budget authority, $11,898,000,000.
(B) Outlays, $10,273,000,000.
Fiscal year 2001:
(A) New budget authority, $9,141,000,000.
(B) Outlays, $10,931,000,000.
Fiscal year 2002:
(A) New budget authority, $9,077,000,000.
(B) Outlays, $10,919,000,000.
Fiscal year 2003:
(A) New budget authority, $9,243,000,000.
(B) Outlays, $10,232,000,000.
Fiscal year 2004:

(A) New budget authority, $9,217,000,000.
(B) Outlays, $9,694,000,000.
Fiscal year 2005:
(A) New budget authority, $9,213,000,000.
(B) Outlays, $9,121,000,000.
Fiscal year 2006:
(A) New budget authority, $9,219,000,000.
(B) Outlays, $8,755,000,000.
Fiscal year 2007:
(A) New budget authority, $9,223,000,000.
(B) Outlays, $8,751,000,000.
Fiscal year 2008:
(A) New budget authority, $9,232,000,000.
(B) Outlays, $8,739,000,000.
Fiscal year 2009:
(A) New budget authority, $9,237,000,000.
(B) Outlays, $8,722,000,000.
On page 42, strike lines 1 through 5.
Change $142,034,000,000 to $117,526,000,000.
Change $777,587,000,000 to $713,363,000,000.

CRAPO (AND GRAMS) AMENDMENT NO. 163

Mr. CRAPO (for himself and Mr. GRAMS) proposed an amendment to the concurrent resolution, S. Con. Res. 20, as follows:

At the appropriate place, insert the following:

SEC. ___. RESERVE FUND FOR INCREASED ON-BUDGET SURPLUS IN THE OUT-YEARS.

(a) IN GENERAL.—Any additional on-budget surplus exceeding the level assumed in this resolution during the period of fiscal years 2001 through 2009 as reestimated by the Congressional Budget Office shall be reserved exclusively for tax relief or debt reduction.

(b) ADJUSTMENTS.—The Chairman of the Committee on the Budget of the Senate may reduce the spending and revenue aggregates and may revise committee allocations by taking the additional amount of the on-budget surplus referred to in subsection (a) for tax relief or debt reduction in the period of fiscal year 2001 through 2009.

(c) POINT OF ORDER.—

(1) IN GENERAL.—When the Senate is considering a bill, resolution, amendment, motion, or conference report that uses the additional on-budget surplus reserved in subsection (a) for additional Government spending other than tax relief or debt reduction, a point of order may be made by a Senator against the measure, and if the Presiding Officer sustains that point of order, it may not be offered as an amendment from the floor.

(2) SUPERMAJORITY.—This point of order may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the members, duly chosen and sworn.

(d) BUDGETARY ENFORCEMENT.—Revised allocations and aggregates under subsection (a) shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

GRAHAM AMENDMENT NO. 164

Mr. GRAHAM proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the appropriate place, insert the following:

SEC. ___. SENSE OF THE SENATE CONCERNING RECOVERY OF FUNDS BY THE FEDERAL GOVERNMENT IN TOBACCO-RELATED LITIGATION.

(a) SHORT TITLE.—This section may be cited as the ''Federal Tobacco Recovery and Medicare Prescription Drug Benefit Resolution of 1999''.

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

(1) The President, in his January 19, 1999 State of the Union address—

(A) announced that the Department of Justice would develop a litigation plan for the Federal Government against the tobacco industry;

(B) indicated that any funds recovered through such litigation would be used to strengthen the medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.); and

(C) urged Congress to pass legislation to include a prescription drug benefit in the medicare program.

(2) The traditional medicare program does not include most outpatient prescription drugs as part of its benefit package.

(3) Prescription drugs are a central element in improving quality of life and in routine health maintenance.

(4) Prescription drugs are a key component to early health care intervention strategies for the elderly.

(5) Eighty percent of retired individuals take at least 1 prescription drug every day.

(6) Individuals 65 years of age or older represent 12 percent of the population of the United States but consume more than ⅓ of all prescription drugs consumed in the United States.

(7) Exclusive of health care-related premiums, prescription drugs account for almost ⅓ of the health care costs and expenditures of elderly individuals.

(8) Approximately 10 percent of all medicare beneficiaries account for nearly 50 percent of all prescription drug spending by the elderly.

(9) Research and development on new generations of pharmaceuticals represent new opportunities for healthier, longer lives for our Nation's elderly.

(10) Prescription drugs are among the key tools in every health care professional's medical arsenal to help combat and prevent the onset, recurrence, or debilitating effects of illness and disease.

(11) While Federal litigation against tobacco companies will take time to develop and execute, Congress should continue to work to address the immediate need among the elderly for access to affordable prescription drugs.

(12) Treatment of tobacco-related illness is estimated to cost the medicare program approximately $10,000,000,000 every year.

(13) In 1998, 50 States reached a settlement with the tobacco industry for tobacco-related illness in the amount of $206,000,000,000.

(14) Recoveries from Federal tobacco-related litigation, if successful, will likely be comparable to or exceed the dollar amount recovered by the States under the 1998 settlement.

(15) In the event Federal tobacco-related litigation is undertaken and is successful, funds recovered under such litigation should first be used for the purpose of strengthening the Federal Hospital Insurance Trust Fund and second to finance a medicare prescription drug benefit.

(16) The scope of any medicare prescription drug benefit should be as comprehensive as possible, with drugs used in fighting tobacco-related illnesses given a first priority.

(17) Most Americans want the medicare program to cover the costs of prescription drugs.

(c) SENSE OF THE SENATE.—It is the sense of the Senate that the assumptions underlying the functional totals in this resolution assume that funds recovered under any tobacco-related litigation commenced by the Federal Government should be used first for the purpose of strengthening the Federal Hospital Insurance Trust Fund and second to fund a medicare prescription drug benefit.

GRAHAM (AND OTHERS) AMENDMENT NO. 165

Mr. GRAHAM (for himself, Mr. FEINGOLD, and Ms. SNOWE) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the end of title III, insert the following:

SEC. ___. SENSE OF THE SENATE ON OFFSETTING INAPPROPRIATE EMERGENCY SPENDING.

It is the sense of the Senate that the levels in this resolution assume that—

(1) some emergency expenditures made at the end of the 105th Congress for fiscal year 1999 were inappropriately deemed as emergencies; and

(2) Congress and the President should identify these inappropriate expenditures and fully pay for these expenditures during the fiscal year in which they will be incurred.

LAUTENBERG AMENDMENT NO. 166

Mr. LAUTENBERG proposed an amendment to the concurrent resolution S. Con. Res. 20, supra; as follows:

At the end of title III, insert the following:

SEC. ___. SENSE OF THE SENATE ON SAVING SOCIAL SECURITY AND MEDICARE, REDUCING THE PUBLIC DEBT, AND TARGETING TAX RELIEF TO MIDDLE-INCOME WORKING FAMILIES.

It is the sense of the Senate that the provisions of this resolution assume that—

(1) Congress should adopt a budget that—

(A) reserves the entire off-budget surplus for Social Security each year; and

(B) over 15 years, like the President's budget, reserves—

(i) 77 percent, or $3,600,000,000 of the total surplus for Social Security and Medicare;

(ii) 23 percent, or $1,000,000,000 of the surplus for—

(I) investments in key domestic priorities such as education, the environment, and law enforcement;

(II) investments in military readiness; and

(III) pro-savings tax cuts for working families;

(2) any tax cuts or spending increases should not be enacted before the solvency of Social Security is assured and Medicare solvency is extended twelve years;

(3) the 77 percent or $3,600,0000,000 of the total surplus for Social Security and Medicare should be used to reduce the publicly held debt; and

(4) any tax cuts should be targeted to provide tax relief to middle-income working families and should not provide disproportionate tax relief to people with the highest incomes.

LAUTENBERG (AND LEAHY) AMENDMENT NO 167

Mr. LAUTENBERG (for himself and Mr. LEAHY) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; and follows:

At the appropriate place, insert the following:

SEC. ___. SENSE OF THE SENATE ON REAUTHORIZING THE COPS PROGRAM.

(a) FINDINGS.—The Senate finds that—

(1) as of December 1998, the Community Oriented Policing Services (COPS) Program had awarded grants for the hiring or redeployment to the nation's streets of more than 92,000 police officers and sheriff's deputies;

(2) according to the United States Bureau of Justice Statistics, the Nation's violent crime rate declined almost 7 percent during 1997 and has fallen more than 21 percent since 1993; and

(3) enhanced community policing has significantly contributed to this decline in the violent crime rate.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that the Community Oriented Policing Services (COPS) Program should be reauthorized in order to provide continued Federal funding for the hiring, deployment, and retention of community law enforcement officers.

FEINSTEIN AMENDMENTS NOS. 168–169

Mr. LAUTENBERG (for Mrs. FEINSTEIN) proposed two amendments to the concurrent resolution, S. Con. Res. 20, supra; and follows:

AMENDMENT NO. 168

At the appropriate place, insert the following:

SEC. ___. SENSE OF THE SENATE.

It is the sense of the Senate that the assumptions underlying the functional totals in this resolution assume that funds will be provided for legislation—

(1) to provide 50–50 matching grants to build new schools, and to reduce school sizes and class sizes, so that—

(A)(i) kindergarten through grade 5 schools serve not more than 500 students;

(ii) grade 6 through grade 8 schools serve not more than 750 students; and

(iii) grade 9 through grade 12 schools serve not more than 1,500 students; and

(B)(i) kindergarten through grade 6 classes have not more than 20 students per teacher; and

(ii) grade 7 through grade 12 classes have not more than 28 students per teacher; and

(2) to enable students to meet academic achievement standards, and to enable school districts to provide remedial education and terminate the practice of social promotion.

AMENDMENT NO. 169

At the end of title III, add the following:

SEC. ___. SENSE OF THE SENATE ON SOCIAL PROMOTION.

It is the sense of the Senate that the assumptions underlying the functional totals in this resolution assume that funds will be provided for legislation—

(1) to provide remedial educational and other instructional interventions to assist public elementary and secondary school students in meeting achievement levels; and

(2) to terminate practices which advance students from one grade to the next who do not meet State achievement standards in the core academic curriculum.

REID AMENDMENT NO. 170

Mr. LAUTENBERG (for Mr. REID) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; and follows:

At the appropriate place, insert:

SEC. ___. SENSE OF THE SENATE REGARDING SOCIAL SECURITY NOTCH BABIES.

(a) FINDINGS.—The Senate finds that—

(1) the Social Security Amendments of 1977 (Public Law 95–216) substantially altered the way social security benefits are computed;

(2) those amendments resulted in disparate benefits depending upon the year in which a worker becomes eligible for benefits; and

(3) those individuals born between the years 1917 and 1926, and who are commonly referred to as ''notch babies'' receive benefits that are lower than those retirees who were born before or after those years.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution and legislation enacted pursuant to this resolution assume that the Congress should allow workers who attain age 65 after 1981 and before 1992 to choose either lump sum payments over 4 years totaling $5,000 or an improved benefit computation formula under a new 10-year rule governing the transition to the changes in benefit computation rules enacted in the Social Security Amendments of 1977.

BOXER AMENDMENT NO. 171

Mr. LAUTENBERG (for Mrs. BOXER) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; and follows:

At the end of title III, insert the following:

SEC. ___. SENSE OF THE SENATE ON FUNDING FOR AFTER SCHOOL EDUCATION.

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

(1) The demand for after school education is very high. In fiscal year 1998 the Department of Education's after school grant program was the most competitive in the Department's history. Nearly 2,000 school districts applied for over $540,000,000.

(2) After school programs help to fight juvenile crime. Law enforcement statistics show that youth who are ages 12 through 17 are most at risk of committing violent acts and being victims of violent acts between 3:00 p.m. and 6:00 p.m. After school programs have been shown to reduce juvenile crime, sometimes by up to 75 percent according to the National Association of Police Athletic and Activity Leagues.

(3) After school programs can improve educational achievement. They ensure children have safe and positive learning environments in the after school hours. In the Sacramento START after school program 75 percent of the students showed an increase in their grades.

(4) After school programs have widespread support. Over 90 percent of the American people support such programs. Over 450 of the nation's leading police chiefs, sheriffs, and prosecutors, along with presidents of the Fraternal Order of Police, and the International Union of Police Associations support government funding of after school programs. And many of our nation's governors endorse increasing the number of after school programs through a Federal of State partnership.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that Congress will provide $600,000,000 for the President's after school initiative in fiscal year 2000.

MURRAY (AND KENNEDY) AMENDMENT NO. 172

Mr. LAUTENBERG (for Mrs. MURRAY) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; and follows:

On page 3, strike beginning with line 5 through page 5, line 14, and insert the following:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution—

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2000: $1,401,979,000,000.
Fiscal year 2001: $1,435,289,000,000.
Fiscal year 2002: $1,456,068,000,000.
Fiscal year 2003: $1,532,507,000,000.
Fiscal year 2004: $1,586,777,000,000.
Fiscal year 2005: $1,650,486,000,000.
Fiscal year 2006: $1,683,892,000,000.
Fiscal year 2007: $1,736,436,000,000.
Fiscal year 2008: $1,805,797,000,000.
Fiscal year 2009: $1,865,565,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2000: $0.
Fiscal year 2001: −$7,358,000,000.
Fiscal year 2002: −$52,208,000,000.
Fiscal year 2003: −$30,811,000,000.
Fiscal year 2004: −$47,372,000,000.
Fiscal year 2005: −$60,412,000,000.
Fiscal year 2006: −$106,822,000,000.
Fiscal year 2007: −$134,964,000,000.
Fiscal year 2008: −$150,412,000,000.
Fiscal year 2009: −$177,195,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2000: $1,426,931,000,000.
Fiscal year 2001: $1,457,794,000,000.
Fiscal year 2002: $1,489,177,000,000.
Fiscal year 2003: $1,562,248,000,000.
Fiscal year 2004: $1,614,578,000,000.
Fiscal year 2005: $1,668,643,000,000.
Fiscal year 2006: $1,697,402,000,000.
Fiscal year 2007: $1,752,567,000,000.
Fiscal year 2008: $1,813,739,000,000.
Fiscal year 2009: $1,873,969,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2000: $1,408,292,000,000.
Fiscal year 2001: $1,435,289,000,000.
Fiscal year 2002: $1,456,068,000,000.
Fiscal year 2003: $1,532,507,000,000.
Fiscal year 2004: $1,583,878,000,000.
Fiscal year 2005: $1,640,655,000,000.
Fiscal year 2006: $1,669,062,000,000.
Fiscal year 2007: $1,716,673,000,000.
Fiscal year 2008: $1,780,977,000,000.
Fiscal year 2009: $1,840,699,000,000.

On page 23, strike beginning with line 14 through page 25, line 3, and insert the following:

Fiscal year 2000:
(A) New budget authority, $67,373,000,000.
(B) Outlays, $63,994,000,000.
Fiscal year 2001:
(A) New budget authority, $68,049,000,000.
(B) Outlays, $65,430,000,000.
Fiscal year 2002:
(A) New budget authority, $68,995,000,000.
(B) Outlays, $66,947,000,000.
Fiscal year 2003:
(A) New budget authority, $75,069,000,000.
(B) Outlays, $70,023,000,000.
Fiscal year 2004:
(A) New budget authority, $78,948,000,000.
(B) Outlays, $74,262,000,000.
Fiscal year 2005:
(A) New budget authority, $80,264,000,000.
(B) Outlays, $78,118,000,000.
Fiscal year 2006:
(A) New budget authority, $78,229,000,000.
(B) Outlays, $79,643,000,000.
Fiscal year 2007:
(A) New budget authority, $79,133,000,000.
(B) Outlays, $78,909,000,000.
Fiscal year 2008:
(A) New budget authority, $80,144,000,000.
(B) Outlays, $79,389,000,000.
Fiscal year 2009:
(A) New budget authority, $80,051,000,000.
(B) Outlays, $79,059,000,000.

On page 42, strike lines 1 through 5 and insert the following:

(1) to reduce revenues by not more than $0 in fiscal year 2000, $137,750,000,000 for the period of fiscal years 2000 through 2004, and $767,552,000,000 for the period of fiscal years 2000 through 2009; and

MURRAY AMENDMENT NO. 173

Mr. LAUTENBERG (for Mrs. MURRAY proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the end of title III, add the following:

SEC. ___. SENSE OF THE SENATE ON WOMEN AND SOCIAL SECURITY REFORM.

(a) FINDINGS.—The Senate finds that—

(1) without Social Security benefits, the elderly poverty rate among women would have been 52.2 percent, and among widows would have been 60.6 percent;

(2) women tend to live longer and tend to have lower lifetime earnings than men do;

(3) during their working years, women earn an average of 70 cents for every dollar men earn; and

(4) women spend an average of 11.5 years out of their careers to care for their families, and are more likely to work part-time than full-time.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that—

(1) women face unique obstacles in ensuring retirement security and survivor and disability stability;

(2) Social Security plays an essential role in guaranteeing inflation-protected financial stability for women throughout their old age;

(3) the Congress and the Administration should act, as part of Social Security reform, to ensure that widows and other poor elderly women receive more adequate benefits that reduce their poverty rates and that women, under whatever approach is taken to reform Social Security, should receive no lesser a share of overall federally-funded retirement benefits than they receive today; and

(4) the sacrifice that women make to care for their family should be recognized during reform of Social Security and that women should not be penalized by taking an average of 11.5 years out of their careers to care for their family.

HOLLINGS AMENDMENT NO. 174

Mr. LAUTENBERG (for Mr. HOLLINGS) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

Strike Titles 1 and 2 of the resolution and insert the following:

TITLE I—LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for the fiscal years 2000 through 2009:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution—

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2000: $1,401,979,000,000.
Fiscal year 2001: $1,442,647,000,000.
Fiscal year 2002: $1,508,276,000,000.
Fiscal year 2003: $1,563,318,000,000.
Fiscal year 2004: $1,634,149,000,000.
Fiscal year 2005: $1,710,896,000,000.
Fiscal year 2006: $1,790,713,000,000.
Fiscal year 2007: $1,871,400,000,000.
Fiscal year 2008: $1,956,209,000,000.
Fiscal year 2009: $2,045,710,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2000: $1,424,759,000,000.
Fiscal year 2001: $1,451,764,000,000.
Fiscal year 2002: $1,481,268,000,000.
Fiscal year 2003: $1,544,059,000,000.
Fiscal year 2004: $1,597,397,000,000.
Fiscal year 2005: $1,665,402,000,000.
Fiscal year 2006: $1,705,251,000,000.
Fiscal year 2007: $1,770,344,000,000.
Fiscal year 2008: $1,840,865,000,000.
Fiscal year 2009: $1,910,187,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2000: $1,406,584,000,000.
Fiscal year 2001: $1,431,899,000,000.
Fiscal year 2002: $1,449,260,000,000.
Fiscal year 2003: $1,512,261,000,000.
Fiscal year 2004: $1,566,600,000,000.
Fiscal year 2005: $1,631,828,000,000.
Fiscal year 2006: $1,674,724,000,000.
Fiscal year 2007: $1,737,435,000,000.
Fiscal year 2008: $1,810,214,000,000.
Fiscal year 2009: $1,880,338,000,000.

(4) DEFICITS OR SURPLUSES.—For purposes of the enforcement of this resolution, the amounts of the deficits or surpluses are as follows:

Fiscal year 2000: −$4,605,000,000.
Fiscal year 2001: $10,748,000,000.
Fiscal year 2002: $59,016,000,000.
Fiscal year 2003: $51,057,000,000.
Fiscal year 2004: $67,549,000,000.
Fiscal year 2005: $79,068,000,000.
Fiscal year 2006: $115,989,000,000.
Fiscal year 2007: $133,965,000,000.
Fiscal year 2008: $145,995,000,000.
Fiscal year 2009: $165,372,000,000.

(5) PUBLIC DEBT.—The appropriate levels of the public debt are as follows:

Fiscal year 2000: $5,637,600,000,000.
Fiscal year 2001: $5,710,300,000,000.
Fiscal year 2002: $5,739,700,000,000.
Fiscal year 2003: $5,776,200,000,000.
Fiscal year 2004: $5,792,400,000,000.
Fiscal year 2005: $5,794,100,000,000.
Fiscal year 2006: $5,755,600,000,000.
Fiscal year 2007: $5,696,200,000,000.
Fiscal year 2008: $5,615,400,000,000.
Fiscal year 2009: $5,510,500,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of the debt held by the public are as follows:

Fiscal year 2000: $3,511,700,000,000.
Fiscal year 2001: $3,371,900,000,000.
Fiscal year 2002: $3,175,600,000,000.
Fiscal year 2003: $2,979,400,000,000.
Fiscal year 2004: $2,756,200,000,000.
Fiscal year 2005: $2,507,700,000,000.
Fiscal year 2006: $2,211,700,000,000.
Fiscal year 2007: $1,886,400,000,000.
Fiscal year 2008: $1,539,800,000,000.
Fiscal year 2009: $1,168,200,000,000.

SEC. 102. SOCIAL SECURITY.

(a) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under sections 302, and 311 of the Congressional Budget Act of 1974, the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2000: $468,020,000,000.
Fiscal year 2001: $487,744,000,000.
Fiscal year 2002: $506,293,000,000.
Fiscal year 2003: $527,326,000,000.
Fiscal year 2004: $549,876,000,000.
Fiscal year 2005: $576,840,000,000.
Fiscal year 2006: $601,834,000,000.
Fiscal year 2007: $628,277,000,000.
Fiscal year 2008: $654,422,000,000.
Fiscal year 2009: $681,313,000,000.

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302, and 311 of the Congressional Budget Act of 1974, the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2000: $327,256,000,000.
Fiscal year 2001: $339,789,000,000.
Fiscal year 2002: $350,127,000,000.
Fiscal year 2003: $362,197,000,000.
Fiscal year 2004: $375,253,000,000.
Fiscal year 2005: $389,485,000,000.
Fiscal year 2006: $404,596,000,000.
Fiscal year 2007: $420,616,000,000.
Fiscal year 2008: $438,132,000,000.
Fiscal year 2009: $459,496,000,000.

SEC. 103. MAJOR FUNCTIONAL CATEGORIES.

Congress determines and declares that the appropriate levels of new budget authority, budget outlays, new direct loan obligations, and new primary loan guarantee commitments for fiscal year 2000 through 2009 for each major functional category are at the CBO March Baseline On-Budget totals for BA and outlays, committee allocations and resolution aggregates.

BOXER AMENDMENT NO. 175

Mr. LAUTENBERG (for Mrs. BOXER) proposed an amendment to the concurrent resolution, S. Con. Res. 20, supra; as follows:

At the appropriate place, insert the following:

SEC. ___. SENSE OF THE SENATE ON TAX CUTS FOR LOWER AND MIDDLE INCOME TAXPAYERS.

It is the sense of the Senate that the levels in this resolution assume that Congress will not approve an across-the-board cut in income tax rates, or any other tax legislation, that would provide substantially more benefits to the top 10 percent of taxpayers than to the remaining 90 percent.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CRAIG. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Subcommittee on Forests and Public Land Management of the Senate Committee on Energy and Natural Resources.

The hearing will take place on Wednesday April 14, 1999, at 2:00 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 S. 415, a bill to amend the Arizona Statehood and Enabling Act in order to protect the permanent trust funds of the State of Arizona from erosion due to inflation and modify the basis on which distributions are made from the funds, and S. 607, a bill to reauthorize and amend the National Geologic Mapping Act of 1992.

Those who wish to submit written statements should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. GRAMS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Wednesday, March 24, for purposes of conducting a full committee hearing which is scheduled to begin at 9:30 a.m. The purpose of this hearing is to receive testimony on Nuclear Waste

Storage and Disposal Policy, including S. 608, the Nuclear Waste Policy Act of 1999.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. GRAMS. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be granted permission to conduct a hearing on voluntary activities to reduce the emission of greenhouse gases Wednesday, March 24 at 9:30 a.m., Hearing Room (SD–406).

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

COMMITTEE ON GOVERNMENT AFFAIRS

Mr. GRAMS. Mr. President, I ask unanimous consent on behalf of the Committee on Governmental Affairs to meet on Wednesday, March 24, 1999, at 9:30 a.m. for a hearing on the Independent Counsel Act.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. GRAMS. Mr. President, I ask unanimous consent that the Senate Committee on Indian Affairs be authorized to meet during the session of the Senate on Wednesday, March 24, 1999 at 9:30 a.m. to conduct a Hearing on S. 399, the Indian Gaming Regulatory Improvement Act of 1999. The Hearing will be held in room 485 of the Russell Senate Office Building.

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

COMMITTEE ON THE JUDICIARY

Mr. GRAMS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Wednesday, March 24, 1999 at 10:00 a.m. in room 226 of the Senate Dirksen office building to hold a hearing on: ''S.J. Res. 3, A Proposed Constitutional Amendment to Protect Crime Victims.''

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

COMMITTEE ON RULES AND ADMINISTRATION

Mr. GRAMS. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on Wednesday, March 24, 1999 at 9:30 a.m. to receive testimony on campaign contribution limits.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. GRAMS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, March 24, 1999 at 2:00 p.m. to hold a closed hearing on Intelligence Matters.

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

SUBCOMMITTEE ON AIRLAND FORCES

Mr. GRAMS. Mr. President, I ask unanimous consent that the Subcommittee on Airland Forces of the Committee on Armed Services be authorized to meet on Wednesday, March 24, 1999, at 2:00 p.m. in open session, to receive testimony on Army modernization programs.

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

SUBCOMMITTEE ON CRIMINAL JUSTICE OVERSIGHT

Mr. GRAMS. Mr. President, I ask unanimous consent that the Subcommittee on Criminal Justice Oversight, of the Senate Judiciary Committee, be authorized to meet during the session of the Senate on Wednesday, March 24, 1999 at 2:00 p.m. to hold a hearing in room 226, Senate Dirksen office building, on: ''The Effect of State Ethics Rules on Federal Law Enforcement.''

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

SUBCOMMITTEE ON EUROPEAN AFFAIRS

Mr. GRAMS. Mr. President, I ask unanimous consent that the Subcommittee on European Affairs be authorized to meet during the session of the Senate on Wednesday, March 24, 1999 at 2:00 p.m. to hold a hearing.

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

SUBCOMMITTEE ON NATIONAL PARKS, HISTORIC PRESERVATION AND RECREATION

Mr. GRAMS. Mr. President, I ask unanimous consent that the Subcommittee on National Parks, Historic Preservation and Recreation of the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Wednesday, March 24, for purposes of conducting a subcommittee hearing which is scheduled to begin at 2:00 p.m. The purpose of this hearing is to receive testimony on S. 323, a bill to redesignate the Black Canyon of the Gunnison National Monument as a national park and to establish the Gunnison Gorge National Conservation Area, and for other purposes; S. 338, a bill to provide for the collection of fees for the making of motion pictures, television productions, and sound tracks in units of the Department of the Interior, and for other purposes; S. 568, a bill to allow the Department of the Interior and the Department of Agriculture to establish a fee system for commercial filming activities in a site or resource under their jurisdictions.

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

SUBCOMMITTEE ON PERSONNEL

Mr. GRAMS. Mr. President, I ask unanimous consent that the Subcommittee on Personnel of the Committee on Armed Services be authorized to meet on Wednesday, March 24, 1999, at 10:00 a.m., in open session, to receive testimony on active and reserve military and civilian personnel programs in review of the defense authorization request for fiscal year 2000 and the future years defense program.

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

SUBCOMMITTEE ON SECURITIES

Mr. GRAMS. Mr. President, I ask unanimous consent that the Subcommittee on Securities of the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Wednesday, March 24, 1999, to conduct a hearing on ''fees collected under the Securities Act of 1933'' and ''Securities Exchange Act of 1934''.

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

SUBCOMMITTEE ON WESTERN HEMISPHERE, PEACE CORPS, NARCOTICS AND TERRORISM

Mr. GRAMS. Mr. President, I ask unanimous consent that the Subcommittee on Western Hemisphere, Peace Corps, Narcotics and Terrorism be authorized to meet during the session of the Senate on Wednesday, March 24, 1999, at 10:00 am, to hold a hearing.

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

ADDITIONAL STATEMENTS

CONFERRING OF THE FRENCH LEGION OF HONOR ON WORLD WAR I VETERANS

● Mr. SCHUMER. Mr. President, I rise today to salute our veterans of the First World War as the French government confers the Legion of Honor, its highest honor, on those living American veterans who served on French soil during World War I. I salute these brave men and women for their courage and for their sacrifice. For the past eighty years, they have taught several generations of Americans what it means to be a hero and what it means to be an American.

Our World War I veterans fought because they believed in something beyond themselves, a greater good. They fought to preserve the best of humanity—democracy, compassion, and liberty. Unfortunately, their fight exposed them to the worst of humanity, the first modern war, with its machine guns, its trenches, its very inhumanity.

''The Great War,'' ''The War to End All Wars'' is what they called it. It was so terrible, so inhuman that we believed that a calamity of that magnitude could never happen again. But it did. The Great War became known as World War I as a second inhuman war consumed our world.

Today, we owe it to those who fought in World War I, who we promised that it would never happen again, that we will make sure that it doesn't. These medals and this promise are for our World War I veterans and for everyone who fought alongside them in the trenches.

I offer this promise to our veterans, but I also ask for their help in keeping it. I ask them to teach their grandchildren and their great-grandchildren about what it meant to fight for such a great and costly cause. Together, we can make sure that our children and our children's children never have to fight another Great War. ●

RECOGNITION OF THE LIFE UNIVERSITY RUNNING EAGLE HOCKEY TEAM

● Mr. CLELAND. Mr. President, I am delighted to have this opportunity to congratulate the Life University Running Eagle Hockey team on their remarkable season. Georgia fans all across the country have had the pleasure of watching this team take its third consecutive American Collegiate Hockey Association Division II National Championship.

Head Coach Dan Bouchard has, in only three seasons, led the Life ice hockey team to one national runner-up position in the 1995–96 inaugural year and two division II national titles in the two subsequent years. This season brought the Running Eagles an impeccable record with 20 wins, 1 tie and only 5 losses. Through pool play and the championship round, Life had 5 wins, no losses, and averaged 6 goals a game.

Life University is fortunate to have an individual of the caliber of Dan Bouchard coaching their hockey team. Not only are he and his assistant coaches teaching their players hockey skills, but important lessons for life—courage, stamina, tenacity and dedication. Although he has enjoyed great success throughout his coaching career, his achievements go far beyond his great talent in coaching. He was a second round draft pick for the Boston Bruins in the 1970 American Hockey League where he was the co-winner of the Happs Holmes Trophy which honors the top goalie in the AHL. Coach Bouchard moved to the National Hockey League in 1972 where he gained a number of honors. In 1976, he was chosen to play for Team Canada and in 1979 he co-founded the Atlanta Sports Carnival which fund raises for leukemia research at Emory University. I would be hard pressed to enumerate all of his magnificent life achievements and contributions to Life University, the Marrietta community and to all of the athletes whose lives he has touched.

In this year's championship game the team quickly jumped ahead with a 4–1 lead in the second period against Michigan State, thus setting the tone for defeat. With a final score of 6–2, they claimed their third national title. The Most Valuable Player award went to the Running Eagles' Mark Brodeur who scored 12 goals and had six assists for a total of 18 points. He led the tournament in scoring.

Mr. President, I ask that you and my colleagues join me in recognizing and honoring the dedication and hard work of the athletes and coaches of the Life University Running Eagles. They have displayed their skills and dedication to excellence in hockey throughout this entire season and I extend my best wishes to them and congratulate the Life University Athletic Department on their continued success.●

TRIBUTE TO MERRILL S. PARKS JR.

● Mr. DODD. Mr. President, I would like to take this opportunity to recognize the life and achievements of Mr. Merrill S. Parks Jr., the Federal Bureau of Investigation's Special Agent in charge of Connecticut, who recently passed away after a brief illness at the age of 55.

Merrill Parks began his career with the FBI 29 years ago in Montana after graduating from Memphis State University. He quickly moved on to serve in the FBI's New York division where he worked from 1971 to 1975. While there, he became a supervisory Special Agent overseeing the investigation of organized crime and white-collar crime.

Special Agent Parks's success as an investigator earned him a reputation as an expert in dealing with organized crime. By 1979, Special Agent Parks had been reassigned to the FBI headquarters in Washington, D.C. to manage the bureau's national program of identifying and infiltrating organized crime. He also initiated a long-term program that dealt with combating money laundering.

One of Special Agent Parks most widely profiled accomplishments was his leadership of what became known as the Pizza Connection case. His experience and knowledge of the inner-workings of crime families led to the successful prosecution of Mafia-connected drug dealers who sold heroin through pizza parlors and bakeries.

In 1986, Special Agent Parks was reassigned as an Assistant Special Agent in charge of Houston's FBI office. The Houston area had been witnessing a growth of Mexican organized crime groups attempting to distribute drugs throughout the United States, and Special Agent Parks's expertise was enlisted to help curb their illegal activities. Within the first year, under the guidance of Special Agent Parks, the Houston office solved 32 drug-related kidnappings.

The course of Merrill Parks's career eventually brought him to Madison, Connecticut in 1994, where he made his home with his wife, Patricia. In that year, he was also appointed to head the FBI's Connecticut office.

Vigorous in his determination to stop the flow of drugs and violence within our communities, Special Agent Parks faced the new task of eliminating gangs. Sadly, Connecticut, like so many other states, has experienced an emergence of gangs and gang-related crime in recent years. Special Agent Parks's work in Connecticut was no less impressive and, as with his previous assignments, he was, once again, successful. In his first year working in Connecticut, Special Agent Parks infiltrated one of the state's most infamous gangs, the Latin Kings, and arrested numerous gang leaders.

Realizing that gangs were a long-term problem, he created a task force that for three years continued to monitor and collect evidence on gang activity. Finally, in 1997, federal charges were brought against 20 Latin King members throughout the state, and his hard work ultimately led to the prosecution of dozens, helping to rid our streets of gang violence.

Mr. President, although Merrill Parks only lived in Connecticut for a short five years, the contributions he made to the state and the protection of its residents will be long remembered. I appreciated his willingness to always keep me and my staff informed of recent developments within his office and his obvious concern for making Connecticut a safer place to live. His stay was brief but his accomplishments were many and on behalf of myself, and the entire state of Connecticut, I would like to offer our sincere thanks for his outstanding efforts. Merrill Parks is survived by his wife, Patricia, a son, Andrew, and a daughter, Meredith. I would like to extend my heartfelt condolences to each of them on the passing of an outstanding father, husband, and law enforcement officer.●

SUBMISS

● Mr. MOYNIHAN. Mr. President, today I ask that the second portion of Mark A. Bradley's article on the disappearance of the U.S.S. *Scorpion* be printed in the RECORD. The first portion of this article, which was featured in the Spring/Summer volume of the Journal of America's Military Past, appeared in yesterday's RECORD. Mr. Bradley was awarded the James Madison prize by the Society for History in the Federal Government for this article. I will ask that the third and final portion of this article be printed in tomorrow's RECORD.

The material follows:

SUBMISS: THE MYSTERIOUS DEATH OF THE U.S.S. ''SCORPION'' (SSN 589), PART II

(By Mark A. Bradley)

While the theory of Russian involvement is tantalizing, it is highly unlikely that the Soviet Navy possessed the capability in May 1968 to hunt down the *Scorpion*. Although the Soviets were on the brink of commissioning two new classes of hunter-killer and ballistic missile submarines—the Victor I and the Charlie I—fully able to contend with American sea power, they still relied heavily at that time on their vintage diesel Whiskey class submarines to shadow and challenge hostile warships. Slow and lacking advanced weapons and sophisticated electronics, the outdated Whiskeys were no match for the *Scorpion*.

Similarly, the Soviet's Echo II class nuclear submarine had limited capabilities. Although the Echo II was armed with conventional antisubmarine torpedoes, her main weapons were surface-to-surface missiles. According to U.S. intelligence estimates, the Echo II required over 25 minutes to surface and fire, ample time for the *Scorpion* to parry an attack and to launch one of her own. Moreover, the United States Navy did not begin to decommission its Skipjack class submarines until 1986. Until then, the surviving five remained in firstline service, an unlikely practice for the Navy to maintain if it knew or suspected that the Soviets so easily had hunted down and killed the *Scorpion* nearly 20 years before.

After rejecting Soviet involvement, the Court similarly discounted sabotage, a collision with an undersea mountain, a nuclear accident, a structural failure, a fire, an irrational act by a crew member, a loss of navigational control and, with far less certainty, a weapons accident. Although it found no direct evidence that one of the submarines's own torpedoes had exploded, the Court noted that on December 5, 1967, the *Scorpion* had confronted an accidentally activated Mark 37 torpedo in one of it firing tubes and had sidestepped disaster by expelling it before it could detonate.

Her standard method for deactivating a ''hot run''—the Navy's term for an accidentally activated torpedo with a live warhead—was to flood the tube with cold water, keeping the torpedo cool, and turn the warship in a U turn more than 170 degrees, activating an anti-circular homing device that shut down the projectile's motor. Then her crew would drain the tube, install a propeller lock and jettison it. Small and battery powered, the Mark 37 was a wire-guided anti-submarine torpedo that had a disturbing history of accidentally activating, particularly during testing. In May 1968, the *Scorpion* had 14 Mark 37s in an arsenal that included two Mark 45 ASTOR torpedoes with nuclear warheads and 7 other conventional projectiles.

She also had a new commander. When he took over the *Scorpion* on October 17, 1967, Francis Atwood Slattery was 36 years old. From West Paris, Maine, he had graduated from Annapolis in 1954 and was a member of the Naval War College's class of 1967. A former executive officer on U.S.S. *Nautilus*, ''Frank'' Slattery was among a very small cadre of technically gifted offices the Navy had tapped for elite nuclear submarine duty. After promotion to the rank of commander on October 2, 1967, the *Scorpion* was his first command.

His newness to command showed in December when navy inspectors gave the *Scorpion* an unsatisfactory rating after she failed a series of casualty drills involving her nuclear torpedoes and again in January when she engaged in an advanced submarine versus submarine exercise and received the lowest tactical grade of all the participants. Nevertheless, by the time she was deployed to the Mediterranean in February, the Navy rated her fully ready and, by March, she was praised by the 6th Fleet Command Staff for begin a well-trained, well-run submarine. By April 1968, seven of her 12 officers and 61 of her 87 enlisted men were fully qualified in submarines, and the Court found no ground to blame either her officers or her enlisted men for what happen on May 22.

As Admiral Austin closed his investigation and submitted his inconclusive findings, the *Mizar* found the *Scorpion* in the early morning hours of October 28, 1968, and began photographing the wreckage. Once all the photographic and sound recordings were collected, Admiral Austin reconvened his court in early November and asked a special Technical Advisory Group comprising scientists and veteran submariners to pore over the newly discovered physical evidence. Admiral Thomas Moorer, the Chief of Naval Operations, earlier had created this group to provide technical expertise to the Court.

Headed by Dr. John Craven, the naval scientist who in 1966 led the team that retrieved a hydrogen bomb that had plummeted into the Atlantic near Palomares, Spain, after two U.S. Air Force planes collided, and assisted by the Naval Research Laboratory in Washington, D.C., the technical experts first examined the acoustical recordings and made a startling discovery—the *Scorpion* had been heading east, instead of west toward Norfolk, when the first cataclysmic explosion erupted. The advisors estimated that the first sound to register on SOSUS had been caused by at least 30 pounds of TNT detonating 60 feet or more below the surface and theorized that the *Scorpion* had been engaged in a hastily ordered U-turn in a desperate attempt to disarm a hot run torpedo that exploded and caused uncontrollable flooding. According to Craven, the hot run scenario was the only one that fit all the evidence.

In a December 16, 1984, article published in the Virginian-Pilot & Ledger-Star, Craven related that the photographs indicated that the *Scorpion*'s torpedo room was still intact and had not been crushed by water pressure as she spiraled toward her watery grave. In that interview, Craven said he believed the torpedo room did not implode, pointing out that it was the first part of the *Scorpion* to flood after the explosion and already had filled with water when the submarine began to sink. Noting the absence of visible damage from outside the hull, he added that a torpedo probably detonated inside the compartment instead of in one of the submarine's six firing tubes.

Craven also noted that the photographs showed that several access hatches to the torpedo room were open. This meant they probably were pushed out by internal pressure. The other SOSUS recordings were sounds of the *Scorpion*'s various compartments collapsing and buckling as she bent like a piece of taffy as she sank below her crush depth and slammed into the ocean floor at a speed estimated to between 25 and 35 knots per hour.

Although the Court discovered that Schade's May 20 operational order did not specify whether the *Scorpion*'s torpedoes were to be fully armed, it seems likely that Slattery would have exercised his discretion and ordered them ready as she approached the Soviet ships. If so, this would have been the first time in over a year that the *Scorpion* had engaged in an operation which required her tactical torpedoes to be fully loaded. She would have done so with a new torpedo gang and weapons officer. All her torpedo men had been replaced since her last operation, and her weapons officer had been relieved during her Mediterranean deployment.

The Court speculated that the *Scorpion* probably had begun disarming her torpedoes by the time she broadcast her final message on the evening of May 21 because of the Navy's strict policy forbidding submarines from entering Norfolk with fully armed warheads. If so, the investigators theorized that something as simple as a short in a piece of testing equipment accidentally could have activated one of the Mark 37's batteries and triggered a hot run. Left with only seconds to react, Slattery would have ordered the *Scorpion* into the abrupt U-turn she was making when the torpedo exploded and filled her with rushing sea water.

Almost immediately, the Navy's Bureau of Weapons challenged the hot run theory and commissioned its own study to undermine it. The Bureau's position was supported by Admiral P. Ephriam Holmes, the commander of the Navy's Atlantic Fleet, and Vice Admiral Schade. Both pointed out that there was no visible torpedo damage to the *Scorpion*'s hull in any of the thousands of photographs taken by the *Mizar* and *Trieste II*, that her weapons room showed no signs of a cataclysmic explosion that would have followed as the warship's torpedoes erupted in a massive chain reaction, and that her torpedo firing doors were tightly shuttered. Moreover, former crew members were unable to identify any objects in her debris field that came from her torpedo room.

Admiral Schade, a veteran World War II submariner and holder of both the Navy Cross and the Silver Star, told the Court that he believed the *Scorpion* simply was lost after she flooded and sank below her designed operating capacity. Although unsure of how the flooding started, Schade speculated that it happened while the submarine was at 60 feet or at periscope depth and that she already was full of water by the time she began to sink. In a letter to Admiral Austin, he wrote that he believed that the most likely cause of the disaster was an accident involving the submarine's trash disposal unit.

Located in the *Scorpion*'s galley, her trash disposal consisted of an inner door separated from highly pressurized sea water by a basketball-sized valve connected to a 10½-inch tunnel. Although the inner door was supposed to be mechanically prevented from opening while trash was being flushed, and the crew was trained to use a bleed valve to make sure no pressurized sea water was outside before ejecting waste, a broken system or valve coupled with human error could have unleashed a fatal chain of events as a torrent of high-pressure sea water roared through the submarine. Pouring through the *Scorpion*'s galley and swamping her operations center, the rushing cascade would have overwhelmed her pumps, washed over and shorted out her electric control panels, flooded over her huge battery several decks below and exploded into a deadly mist of fiery hydrogen and poisonous chlorine gas. With her crew dead or unconscious and water pressure squeezing her as she plunged deeper and deeper, the *Scorpion* would have imploded as she rocketed nearly two miles to the ocean's floor.

Vice Admiral Robert Fountain (Ret), the former executive officer on the *Scorpion* from 1965 until 1967, supports this theory. In a recent interview, Fountain explained that the *Scorpion* normally came up to periscope depth to expel her trash and that she especially would have needed to do so after completing an underwater intelligence operation. He also pointed out that the submarine had experienced flooding because of her trash disposal unit before. Some of the photographs taken by the *Mizar* and *Trieste II* appear to back Fountain's claim. These show that all the submarine's identifiable debris is from her operations center where her galley was located, and that a large section of her hull is missing where her huge 69-ton battery was stored.

The Austin Court considered this theory and determined it was possible but ''not probable'' without further comment. Moreover, the several witnesses testified that they believed the warship's safety systems would have deployed to save her if she was flooding that close to the surface. This assessment might have been right if the *Scorpion*'s safety systems were fully working and certified, but they were neither.

The *Scorpion*'s safety systems were a direct product of the worst submarine disaster in American history—the loss of U.S.S. *Thresher* and her entire crew of 112 sailors and 17 civilians on April 10, 1963. It is impossible to overestimate what the *Thresher*'s loss meant to the Navy. A public relations nightmare during the very dangerous middle years of the cold War, the *Thresher*'s abrupt demise during test dives 220 miles off Cape Cod shattered the myth of the service's technological invincibility—much like the Challenger's explosion did to NASA's some 23 years later—and caused acute embarrassment and unwelcome political oversight. Not only did it deprive the Navy of its most advanced submarine, but the disaster also spawned a round of congressional hearings and newspaper editorials questioning the design, testing and safety of the service's underwater nuclear fleet.

To combat these criticisms and regain its prestige, the Navy instituted its Submarine

Safety Program (SUBSAFE). First initiated in May 1963 and formalized that December, SUBSAFE was designed to ensure the *Thresher* was not repeated. After months of exhaustive hearings, which produced 12 volumes and 1,718 pages of evidence, the service's experts traced the *Thresher's* sinking to a series of failed silver-braze joints and pipes that set into motion a deadly chain of catastrophic events that ended with the warship's main systems flooded and her ballast system unable to muster enough air to send her to the surface. The investigators concluded that once the submarine dove to her test depth of 1,300 feet, water pressure ruptured her pipes and created a two inch leak. This sent an unstoppable stream of icy water over her control panels that her crew was unable to stop because they could not reach her centralized shutoff valves in time. It stopped her reactor and sent her backwards and downwards as she lost all power. Unable to blow enough air into her ballast tanks through her narrow pipes—moisture in her pipes had frozen, blocking her air vents—the *Thresher* imploded as she fell over 8,000 feet to the bottom.

In the wake of this, the Navy's Bureau of Ships and the Ship Systems Command placed depth restrictions on all the service's post-World War II submarines—the *Scorpion* was limited to a depth of 500 feet instead of her standard operating depth of 700 feet—and ordered their inspectors and workmen to begin the time-consuming and expensive task of examining and replacing faulty sea water hydraulic piping systems and rewelding possible faulty joints in over 80 submarines. They also ordered the improvement of flood control systems by increasing ballast tank blow rates and the installation of decentralized sea water shutoff valves.

By the time SUBSAFE was instituted, the *Scorpion* was in dry-dock at the Charleston Naval Shipyard for her first and last full overhaul. Arriving on June 10, 1963, and remaining until April 28, 1964, she had nearly completed her repairs by the time the yard's command received orders to implement the new safety requirements. Although workmen inspected the *Scorpion's* hull and replaced many of her welds, they were not authorized to install emergency sea water shut-off valves. Moreover, the Naval Sea Systems Command deemed the interim emergency blow system the yard constructed unsuitable for service and ordered it disconnected. The Navy decided to defer installing these two systems until early 1967, the date of the *Scorpion's* next scheduled overhaul.

By then, the Navy had spent over $500 million on SUBSAFE and estimated that it needed at least another $200 million more to certify all its submarines. In addition, severe outside pressures were forcing the Navy to rethink how best to allocate its already stretched resources. Faced with fighting an increasingly protracted war in Vietnam while meeting the unchanging demands of maintaining America's global security obligations at a time when the Soviets decided to expand and transform their navy into a full-blown blue water fleet, the service's high command began to grope for new ways to meet its backbreaking obligations.

Confronted now with the urgent need to launch more warships and to keep the ones it already had at sea, the Navy decided to delay installing full SUBSAFE systems in many of its older submarines. What prompted this shift started with a series of confidential memoranda and messages drafted in 1966 as the Navy sought ways to reduce the time its submarines spent in dry dock meeting SUBSAFE's requirements. A Naval Sea Systems Command study of that era revealed not only the rising costs of this program but that approximately 40 percent of the average submarine's time was spent undergoing reconditioning instead of serving at sea.

The Navy's leadership was clearly worried by the political fallout these statistics would generate. On March 24, 1966, the Commander of Submarine Squadron 6—the *Scorpion*'s unit—drafted a memorandum to Admiral Schade, Commander Submarine Force, Atlantic Fleet that candidly admitted that ''the inordinate amount of time currently involved in routine overhauls of nuclear submarines is a recognized source of major concern to the Navy as a whole and the submarine force in particular and stands as a source of acute political embarrassment.'' The memorandum blamed the Navy's Bureau of Ships and the managers of the service's shipyards for these problems and complained about the shortage of skilled workers needed to complete the overhauls, their poor planning in ordering critical materials on time, and the overall magnitude of what SUBSAFE required. It also warned that the *Scorpion*'s next scheduled reconditioning in November 1966 ''will establish a new record for in overhaul duration.''●

SMALL FARM RIDER AMENDMENT

● Mr. REED. Mr. President, I want to speak briefly about an amendment regarding OSHA inspections of small farms, which I was prepared to offer to S. 544, the Emergency Supplemental Appropriations bill. To expedite the consideration of this emergency legislation, I withdrew my amendment, but I want my colleagues to know that I will continue to press this issue.

As other Senators may know, the Occupational Safety and Health Administration, by statute, can enforce health and safety rules and investigate accidents on farms or businesses of any size.

However, a rider prohibiting OSHA from expending funds to carry out its statutory duty with respect to small farms has been attached to Department of Labor appropriations bills for the past several years. Small farms are those that employ ten or fewer workers and do not maintain a camp for temporary employees.

I want to emphasize that this prohibition extends even to the investigation of fatal, work-related accidents. I am not speaking of malicious acts leading to deaths on the job—law enforcement authorities are capable of addressing those circumstances. I am speaking of deaths caused by preventable health and safety hazards—hazards that no agency other than OSHA has the capacity to address.

Since the death of a sixteen-year-old Rhode Islander in an accident on a small farm in 1997, I have worked to address this issue.

Mr. President, it is heartbreaking for a parent to send a child off to a summer job only to see him die in an accident, and it is infuriating for these parents to wonder whether other youngsters now working on that job are safe.

I am sensitive to the concerns that some Senators will have about protecting the interests of family farms. That is why I have attempted to only moderately amend the current rider. Indeed, my amendment only allows OSHA access to small farms if there is a death, and only for investigation, not punitive action.

I have advanced this proposal in the hope of disseminating information about the causes of fatalities in order to prevent repeat tragedies and to bring a sense of closure to families who lose a loved one.

When I raised this issue during the markup of the Safety Advancement for Employees (SAFE) Act in the Labor and Human Resources Committee during the last Congress, several of my colleagues expressed a willingness to work with me on this issue. Regrettably, there is little the authorizing committee can do, because the problem stems from an appropriations rider, and an appropriations bill is where a correction should be made.

Mr. President, agriculture is one of the most hazardous industries in the United States today. We should take at least this minimal step to ensure the safety of agricultural employees.

Last Fall, the National Research Council (NRC), an arm of the National Academy of Sciences (NAS), issued a report entitled Protecting Youth at Work. Among its recommendations was the following related to small farm safety:

> To ensure the equal protection of children and adolescents from health and safety hazards in agriculture, Congress should undertake an examination of the effects and feasibility of extending all relevant Occupational Safety and Health Administration regulations to agricultural workers, including subjecting small farms to the same level of OSHA enforcement as that applied to other small businesses.

Mr. President, it is the opinion of the NAS panel that small farms should be subject to the same level of enforcement as all other small businesses. In comparison to this recommendation, my proposed amendment is moderate, because, again, my amendment only allows an OSHA inspection on a small farm following a fatal accident. The inspection could not result in fines or any other OSHA enforcement.

During consideration of the SAFE Act in the 105th Congress, the Labor Committee voted for a provision requiring an NAS peer review of all new OSHA standards. Today, we have a report from the NAS making recommendations on OSHA enforcement on small farms. I hope that colleagues will keep that in mind and that they will remember that my amendment is not as extensive as the NAS recommendation.

Mr. President, some have criticized my amendment as unfair to small farm owners. I am mystified by their argument. The only small farms to be impacted would be those where an employee dies in a work related accident. Then, the only imposition the business would face would be an investigation: no fines, no enforcement, and no regulation. If information could be disseminated to prevent just one of the 500 deaths that occur annually in the agriculture industry, I believe this minor

inconvenience would be worth it. I know my constituents who lost their son feel that way, and I would venture to guess that many other families would feel that way too.

Mr. President, I want to thank Senator SPECTER, Chairman of the Senate Appropriations Subcommittee on Labor, Health and Human Services, and Education, for his good faith efforts to address this issue. His commitment to continue working with me was a major reason for my decision not to proceed my amendment on the Supplemental Appropriations bill. I look forward to working with the Senator from Pennsylvania and other concerned Senators in the months ahead.●

HONOR VICTIMS OF SCHOOL VIOLENCE BY ENACTING THE SAFE SCHOOL SECURITY ACT

● Mr. BINGAMAN. Mr. President, I rise today to state that today marks the first anniversary since the tragic school shooting in Jonesboro, Arkansas. We all remember hearing about the gun shots fired by two young boys hiding in the woods—shots that led to the tragic death of four of their classmates and a Jonesboro teacher. March 24th will forever be ingrained in our memories as the day our children's safety at school was threatened in a way we could hardly imagine.

One of the bills I introduced recently was aimed at keeping our kids in school. But solving the truancy problem is only one of the issues we must work together to tackle. Not only do we need to keep our kids in school, we need to keep our kids in school safe! The Safe School Security Act I introduced last week is intended to do just that.

Children should not have to fear for their safety while attending our public schools. At a time when violent crime in the nation is decreasing, ten percent of our public schools reported at least one serious violent crime during the 1996–97 school year. Because of this level of violence, 29 percent of elementary, 34 percent of junior high and 20 percent of high school students fear that they will be a victim of crime while at school. The school yard fist fight is no longer a child's worst fear: 71 percent of children ages 7 to 10 say they worry about being shot or stabbed. In fact, 13.2% of high school seniors reported being threatened by a weapon between 1995 and 1996. We all know that a violent environment is not a good learning environment.

Educators and law enforcement know that technology is the key to preventing and reducing crime in our schools. Most of us understand the importance of protecting our assets, yet we have neglected to protect our biggest investment of all: our school children. The Safe School Security Act would establish the School Security Technology Center at Sandia National Laboratory and provide grant money for local school districts to access the technology developed and tested by the lab. Because Sandia is one of our nation's premier labs when it comes to providing physical security for our nation's most important assets, it is fitting that Sandia would be chosen to provide security to our school districts throughout our nation.

Increased school security not only reduces violent crime, it reduces truancy and property crime. The latest technology was recently tested in a pilot project involving Sandia Labs and Belen High School in Belen, New Mexico and the results were astounding. After two years, Belen High School experienced a 75 percent reduction in school violence, a 30 percent reduction in truancy, an 80 percent reduction in vehicle break-ins and a 75 percent reduction in vandalism. More important, Belen realized a 100% reduction in the presence of unauthorized people on the school grounds. Also, Belen saw insurance claims due to theft or vandalism at the high school drop from $50,000 to $5,000 after the pilot project went into effect. Clearly, the cost of making our schools safer and more secure is a good investment for our nation.

The School Security Technology Center will partner with the Law Enforcement and Corrections Technology Center in Georgia to facilitate the transfer of available security technology to schools that could benefit the most from such technology. The School Security Technology Center will also provide security assessments for schools so they do not spend limited school resources on security tools that do not work. This bill will authorize $10,000,000 for schools to access the technical assistance from Sandia and to purchase security tools that fit their needs.

This one year anniversary of the horrible tragedy in Jonesboro should make it clear to everyone that it is time to focus on making our kids feel safe in school and ultimately putting kids first.●

SENATOR EDWARD M. KENNEDY'S REMARKS AT THE AMERICAN IRELAND FUND NATIONAL GALA

● Mr. DODD. Mr. President, last week, on the eve of Saint Patrick's Day, the American Ireland Fund recognized Senator KENNEDY for his life-long commitment to the Irish people and to peace in Northern Ireland. Senator HATCH and myself had the honor of introducing Senator KENNEDY that night. Today, I rise to recognize Senator KENNEDY for his work on behalf of peace and justice here in the United States and around the world, particularly in Ireland.

Before Ireland was in fashion, Senator KENNEDY was its loyal friend. Throughout the adult lives of most of the members of this body, Senator KENNEDY, his sister United States Ambassador to Ireland Jean Kennedy Smith, and members of their family have worked tirelessly, day in and day out, to better the lot of the least fortunate of their fellow men and women. Senator KENNEDY's efforts regularly reach across the borders of nation, race and religion.

It was only natural, then, that the conflict and injustice in Northern Ireland would make a claim on Senator KENNEDY's conscience. His unceasing interest in achieving peace in Northern Ireland was, and is, the one constant over the many ups and downs on the still bumpy road to resolving that conflict. He labors both as a distinguished representative of the United States, and as a loyal son of Ireland.

Reflecting on the way Senator KENNEDY has led so many of his colleagues down the tortured path that must inevitably lead to peace, I am reminded of the figure of the great Irish poet, William Butler Yeats, standing amidst the portraits of his contemporaries in the Dublin municipal gallery of art, and urging history to judge him not on this or that isolated deed but to:

Think where man's glory most begins and ends;
And say my glory was I had such friends.

Mr. President, I, and many others, are most grateful to be able to call Senator KENNEDY both a colleague and a friend.

In recognition of the honor he received last week from the American Ireland Fund, Mr. President, I ask that the remarks he gave that evening be printed in the RECORD.

The remarks follow:

Thank you, Chris Dodd and Orrin Hatch, for those kind words. Bertie Ahern, Kingsley Aikens, Loretta Brennan Glucksman, Father Gerry Creedon, friends, family—and fellow immigrants!

I just wish my parents could have been here. Mother would have loved everything you said—and Dad wouldn't have believed a word of it!

There's an old Irish saying that half the lies your opponents tell about you are not true.

But when your friends tell lies like that—it's beautiful.

It is an especially great honor to accept this award in the presence of so many of those who were essential to the success of the Good Friday Agreement.

The shamrock has three leaves, and I'm convinced that the peace agreement would never have been possible without the strong support at all the critical moments of the three greatest friends of Ireland in America—President Bill Clinton, Vice President Al Gore, and our truly indispensable peacemaker, Senator George Mitchell.

I welcome Bertie Ahern back to Washington. He deserves great credit for his own leadership during the peace negotiations and in the succeeding months.

I also pay tribute to the leaders of the Northern Ireland political parties who are here—John Hume and Seamus Mallon, Gerry Adams, David Trimble, Lord Alderdice, and Monica McWilliams. And I especially congratulate John Hume and David Trimble for the well-deserved Nobel Peace Prize.

I also welcome Secretary of State for Northern Ireland Mo Mowlam. And I salute Prime Minister Tony Blair, and many other Irish and British officials for their courage and determination not only in reaching the peace agreement, but in moving it forward, inch by inch, day by day.

I'm reminded of the lines of Robert Frost that President Kennedy loved, ''I have promises to keep, and miles to go before I sleep.''

I am very grateful for this honor and my heart is very full this evening. In truth, I owe a great deal to two others in our family—my sister Jean, the Ambassador who won the hearts of the Irish people all over again for our family. She made her own indispensable contributions to the peace process, and I know how much she looks forward to working with all of you on the Irish Festival she's planning at the Kennedy Center a year from now.

And, of course, my brother Jack. In fact, it's because of President Kennedy that all of us are here this evening. During his visit to Ireland in 1963, he joined with President de Valera in creating the American Irish Foundation, to encourage closer ties between Irish Americans and Ireland.

A quarter century later, the merger with Tony O'Reilly and Dan Rooney's Ireland Fund created the world's largest private organization supporting constructive change in all of Ireland, North and South. So I say to all of you, well done—Erin Go Bragh!

Jack would have enjoyed this evening. He was always ready to share his love of Ireland and all things Irish, especially with those, like so many of us, who have the map of Ireland on our faces. And he would have admired your skill in turning our ties of heritage and history into practical avenues of peace and prosperity for both our peoples.

The bonds between America and Ireland have flourished from the beginning. There might never have been a United States of America without the timely support from Ireland two centuries ago. As President Kennedy told the Doil on his visit to Ireland in 1963, Irish volunteers played so dominant a role in our Revolutionary Army that Lord Mountjoy lamented in the British Parliament, ''We have lost America through the Irish.''

It is often forgotten that more than half of the 44 million Americans of Irish descent are Protestant. The impact on America of Scotch-Irish settlers from what is today Northern Ireland was profound. They made and continue to make immense contributions to our country. Andrew Jackson was of Ulster Presbyterian stock, and proud of it. Eleven other Presidents of the United States were of Scotch-Irish heritage, including President Clinton.

Now, in our own day and generation, by facilitating the peace process, Irish Americans have a priceless opportunity to give something back to Ireland in return for all that Ireland has given us.

To the Unionists in Northern Ireland, we say that we are your brothers and sisters, not your enemies. The vast majority of Irish Catholics in America bear you no ill-will. Our hope is that as your ancestors did for America, you will help to lead the way to peace for Northern Ireland.

Many able leaders in the past devised what they thought were lasting solutions for Ireland. We know the high price that Ireland—and Britain, too—have paid because of those failed solutions and the endless seeds of repression, famine, partition and violence they sowed.

It is the clear lesson of that tragic history that no settlement will last unless it is based on equality and mutual respect. These are the twin pillars of peace. The Nationalist community will never accept a role of subservience to Unionism. And the Unionist community will never accept a role of subservience to Nationalism.

We know how far we have already come towards these goals because of the Good Friday Agreement. People on both sides in Northern Ireland understand that progress best of all, because they see the true meaning of peace in their lives and their communities. The ascent to a peaceful future is nearly won, and they know how much is at risk. They are determined not to slide backward into the violent past—and they reject political leadership that would take them back.

We talk of a thirty-year conflict. But its roots go back not 30 years, but 300 years, not one generation but 10 generations, before the *Mayflower* landed at Plymouth Rock.

The Good Friday Agreement is the best new beginning of all those 300 years, and the people of Ireland and Northern Ireland know it. It was endorsed by decisive votes in both parts of Ireland as a clear mandate to their leaders, and history will not deal kindly with any leader who fails this test, or any others who return to the bomb and the bullet.

The task now facing the Irish and British Governments and political leaders in Northern Ireland is to build greater momentum for full implementation of the Agreement. Clearly, there has been welcome recent progress. Last month, the Northern Ireland Assembly approved the designation of the Northern Ireland Departments and the group of cross-border bodies. Last week, Britain and Ireland signed historic treaties for closer ties.

Further progress in these areas is dependent on full implementation of all aspects of the agreement. We commend the work of General de Chastelain's independent commission on decommissioning, and we look forward to the important meetings taking place this week in Washington and in the weeks ahead.

Inevitably, there will be new difficulties beyond this current one. But implementation of the Agreement offers the best way forward and the best yardstick to judge the policies and actions of all involved. The goal of peace is best served by prompt action on the Agreement. Those who take risks for peace can be assured of timely support by President Clinton, Congress, and the American people.

Not all the guns have remained silent. The carnage inflicted on the town and people of Omagh last August was a grim reminder that, in spite of all that has been achieved, there are still some who subscribe to violence. As recently as yesterday, the cowardly murder of Rosemary Nelson reminds us anew of the urgency of our task. The horror of these atrocities unites all the people of Ireland and Great Britain, and friends of Ireland everywhere, in a determination that such tactics of terrorism will never again be tolerated or condoned

Sectarian attacks, punishment beatings, and other acts of violence must also stop. They serve only to inflame division, recrimination and pressures to respond in kind. Resort to violence is unacceptable. It is time to say enough is enough is enough is enough. It is time to replace hate with hope.

We see the signs of progress in many ways. There is growing confidence that a new police organization will soon be born in Northern Ireland, capable of attracting and deserving the support of all parts of the community. The Patten Commission has a mandate to produce these new arrangements for fair law enforcement, accountable to and fully representative of the society. Its report is due this summer. So progress on this critical issue is being made.

Prisoners have been released. The British have reduced their troop levels to the lowest point in twenty years. Surely, only those for whom too long a sacrifice has made a stone of the heart can fail to see that the future lies with peace.

We are heartened by the establishment of the Human Rights Commissions and we look forward to close cross-border co-operation on these vital issues. We also count on early progress on the review of the criminal laws, and the dismantling of emergency legislation.

As preparations for the 1999 marching season begin, the situation at Drumcree remains disturbing. We call on all involved to respect and uphold the decisions of the Parades Commission, and to recognize that progress can only be made on the basis of negotiation and agreement.

The Ireland of our dreams is no longer a poor country. The dark side of emigration from Ireland now belongs to history. There is still poverty in Ireland, as there is in America. But we are witnessing one of the great miracles of economics, as the romantic Ireland of the past transforms itself into the high-tech Ireland of the future. Yeats would have appreciated it. In Easter 1916, a terrible beauty was born. At Easter 1999, an entrepreneurial beauty is being born before our very eyes.

But the modern transformation of Ireland also means that we can no longer rely on the naturally renewing ties between Ireland and America created by successive waves of immigrants. We must work together all the harder, therefore, on both sides of the Atlantic to keep our ties strong and vital. The growth of student educational exchanges between our youth can have a primary role—through college Junior Years Abroad, in summer schools, in the Mitchell and Fulbright Scholarships, and in the expansion of Irish Studies in American universities and American Studies in Ireland.

Important though economic performance is, the challenges of the twenty-first century will come increasingly in the realm of the mind, the spirit, and the imagination, where Ireland's strengths are especially great. In an increasingly global world, the contributions of peoples and nations will be measured by how well they enrich our common humanity. Ireland has enormous potential to be one of the brightest stars in this new worldwide firmament, and this challenge is an area in which the American Ireland Fund is playing a vigorous and impressive role.

Starting before World War II, it was the custom of Eamon de Valera to speak to his Irish kinfolk in other lands, especially in the United States, and to tell them year by year on St. Patrick's Day of the progress being made to build the Ireland of our dreams—an Ireland, he said, that ''is destined to play, by its example and its inspiration, a great part as a nation among the nations.'' His dream has long been our dream too, and how beautiful it is to see it coming true, as we dedicate ourselves anew to one of the truly great friendships in human history, the friendship of America and all of Ireland.

In closing, let me say a final word to our friends from Northern Ireland who are here. It is natural that we focus on the problems of the moment. But we do not overlook all that is good about your land—the ability of the people, their remarkable work ethic, their culture, and the vast potential of both communities that will be unleashed by a peaceful future.

We know the achievements of your leadership, which have brought you to this threshold of that future. President Kennedy would call you profiles in courage twice over—for your political courage in facing this extraordinary challenge, and for your very real personal courage in facing physical danger every day.

You've been asked to do a great deal already, and you've done it well. Now, you're asked to do even more, because we know you will not fail. Blessed are the peacemakers, for they shall be called the children of God. Thank you very much.●

ANTI-SEMITISM IN RUSSIA

● Mr. ABRAHAM. Mr. President, I rise today to voice my condemnation of anti-Semitic statements given by Communist Party members of the Russian Duma. I believe that this is an important issued that must be addressed.

The Russian Federation vowed to fight against such discrimination when joining the Organization on Security and Cooperation in Europe (OSCE). In order to maintain this commitment, the Russian Duma must censure those in its ranks failing to comply with the recognized OSCE resolution.

In the U.S., Congress has joined international organizations and the world community in denouncing the anti-Semitic statements. House Concurrent Resolution 37 asserts that Congress: condemns the statements; commends President Boris Yeltsin and other members of the Russian Duma for rebuking the anti-Semitic statements; and reiterates our firm belief that such discrimination is counterproductive to efforts toward true peace and justice. Furthermore, in dialogue with Russian leaders the U.S. has the opportunity to combat this hate-filled rhetroic. I believe it is of the utmost priority that the anti-Semitic statements be given proper attention in discussions with Russian leaders.

I urge my colleagues to join me in not only supported House Concurrent Resolution 37, but also in signing onto the letter to Vice-President AL GORE raising the issue of anti-Semitism with Prime Minister Primakove.●

50TH WEDDING ANNIVERSARY OF BARBARA AND HAROLD HARRIS

● Mr. WELLSTONE. Mr. President, I rise today to recognize Barbara and Harold Harris on the occasion of their 50th wedding anniversary.

Barbara Harris has dedicated herself to educating young people in America in the principles of representative government, imparting to them the virtues of citizenship and democracy, developing in them the values of leadership and civic responsibility.

She has pursued this dedication throughout her career, first as an educator in public schools where her personal interest and commitment shaped the lives of thousands of students, and subsequently as a co-founder of the Congressional Youth Leadership Council and the National Youth Leadership Forum, bold initiatives to carry her message of achievement and citizenship to tens of thousands of the Nation's best and brightest young adults; This Congress and the Nation are indebted to her for these efforts and for her contribution to enhancing our two centuries old experiment in self-government. Throughout this distinguished career, Barbara has benefited from the dedication, strength, and devotion of her beloved husband Harold.

I ask my fellow colleagues to please join me in congratulating Barbara and Harold on this most auspicious occasion.●

RECOGNITION OF THE OREGON PARTNERSHIP

● Mr. SMITH of Oregon. Mr. President, I rise today in recognition of an extraordinary group of people in my state who are working each day to protect our children and teenagers from the dangers of alcohol and drug abuse.

The Oregon Partnership, led by Executive Director, Judy Cushing, is the only nonprofit statewide network of drug prevention services available to every community—rural and urban—throughout Oregon.

While we may talk about the importance of drug abuse prevention programs on the floor of the Senate, the staff at the Oregon Partnership are turning words into action with very limited federal resources. Their accomplishments and allegiance to the thousands whom they serve, deserves respect and additional federal support.

Formed in 1993, the Partnership is governed by a volunteer, 12-member Board of Directors and has a statewide volunteer base of 500 educators, parents, youth, health professionals, business and faith leaders. Together, they share a common goal—to help the young people of Oregon help themselves and their peers—to lead productive and drug-free lives.

Through these combined efforts, this group of dedicated volunteers is truly a partnership. With 73 coalitions that reach across the state of Oregon, the Partnership empowers communities at a grassroots level through a strong support network of resources including media relations assistance, event planning and training that targets the local needs of each community. In addition, the Partnership's resource center provides communities and families with materials that provide answers to questions about alcohol, tobacco and other drugs. The Partnership also maintains a website that provides details about other available resources, materials and programs.

Recognizing that information is only effective when it is available, the Oregon Partnership houses the only statewide 24-hour helpline with person-to-person contact every day. The HelpLine/YouthLine currently responds to 2,000 calls per month from substance abusers, family members and friends who are searching for referral assistance and information about treatment programs and services within their local area.

What is truly exemplary about the Oregon Partnership, is that it provides these services through its network of volunteers. More than fifty professionally trained volunteers provide confidential counseling, information and local treatment referral for chemical dependence and other addictions. Sixty percent of the volunteers are college and graduate students pursuing counseling careers.

Mr. President, I believe that the Oregon Partnership is an example of what Congress intended for the use of federal drug prevention dollars. Unlike any other program in our state, the Oregon Partnership is the resource that serves as the link that keeps the chain from prevention programs to treatment strong. The Oregon Partnership is our first line of defense and the kind voice at the end of the phone that says, ''Yes, we can help.''

For these reasons and many more, I would like to take this opportunity to formally thank the directors, members and volunteers of the Oregon Partnership for their dedication and gracious, generous service to the people of Oregon as they work to eliminate drug abuse throughout our state: Judy Cushing, Joyce Adams-Malin, Lloyd Duncan, Jennifer Fogelman, Jill Showalter, Kaleen Deatherage, Penny Labberton, Elizabeth Buskirk, Mary Ellen Apostol, Michelle Kromm, Ericka Ziettlow, Jennie Donnelly, Karla Bateman.●

DEMINING IN NICARAGUA AND HONDURAS

● Mr. LEAHY. Mr. President, last night, the Senate passed the Supplemental Appropriations bill, which, among other things, contains funding for hurricane relief for Central America. I am very pleased that the Supplemental also specifies that up to $2,000,000 should be made available for humanitarian demining activities in Nicaragua and Honduras. Hurricane Mitch has greatly exacerbated the problem of anti-personnel landmines in both countries. An estimated 100,000 mines were placed in the Nicaraguan-Honduran border area in the 1980's by Sandanista and Contra soldiers. Demining activities to date have been diligent, but painstakingly slow, as over 70,000 mines continue to threaten the population.

While the problem has certainly been very serious, at least the areas which contained these mines in both countries were reasonably well known. Until Hurricane Mitch, that is. Mudslides and the tremendous volume of water that accompanied the hurricane have carried mines into areas not previously contaminated. Two Nicaraguan civilians were killed last fall by a mine in an area never thought to hold them previously. A U.S. Army study confirmed the new threat in many areas of Nicaragua.

Imagine, Mr. President, the impact on reconstruction efforts in these devastated countries if an American or other foreign national working to rebuild the infrastructure should be injured or killed by a mine.

Other Senators may be surprised to hear that one of the most effective ways to demine these areas is the use of man-dog teams. The explosive material in mines emit a gas, which dogs can be trained to detect. Once a mine is detected, the dog is trained to immediately stop and sit, and conventional

demining can begin. Conventional demining amounts to metal detection, a painstakingly slow process which may detect thousands of discarded metal items for every mine found. Most surface area scanned for mines never had any to begin with. But the fear of mines keeps native populations from utilizing the land. Dogs can radically speed the process, and focus the efforts of human deminers into areas which actually contain mines.

The Marshall Legacy Institute, responding to a request from the Inter-American Defense Board, has proposed putting additional man-dog teams into Central America to speed the reconstruction process. The proposal has the support of the Humane Society, and I hope the Administration will give serious consideration to supporting this proposal with these supplemental funds.●

TRIBUTE TO A UTAH NATIVE

Mr. BENNETT. Mr. President, I rise today to note a significant event in the life of a native son of Utah and for those of us here in Washington. After working for over thirty years in government and private service, Anthony T. Cluff is leaving the leadership role he has held at one of the preeminent trade groups in Washington, The Bankers Roundtable.

Few individuals have contributed so much to this city.

Tony worked as an economist at the Treasury Department and later with the American Bankers Association and the Securities Industry Association. Then he spent 8 years on Capitol Hill as a member of the Senate Banking Committee staff and served several years as Minority Staff Director under Senator John Tower of Texas. He also served as a staff member to my father here in the Senate.

For nearly two decades he has steered the association that represents the nation's leading banks—The Bankers Roundtable and its predecessor, the Association of Reserve City Bankers. During his tenure, he has elevated the prominence of the group, enhanced its message and provided his members with important professional guidance. Under his leadership, the Roundtable expanded its range of activities and took leadership roles in interstate banking legislation, payments system regulation, environmental liability reforms and addressing the challenges of new technology for the banking industry. Most of all, Tony imparted to the association and its staff his values of hard work, doing what is right and speaking the truth; these values are reflected in the approaches that the association takes in working with government.

Tony Cluff was born in Logan, Utah, and has maintained his ties to Utah despite spending most of his time in Washington. For though he has many responsibilities here, many of his family and friends remain in Utah and the West.

With long service to his country and to the industry he has represented, Tony is leaving The Bankers Roundtable to pursue other interests that will afford him more time to write, to be with his children and grandchildren and to enjoy life a bit more. He leaves his work ''on top,'' with an unblemished record and with the knowledge that there are many in this city and throughout the country indebted to him.

I want to wish Tony and his family the very best and express my thanks for all that he has done.●

KOSOVO RESOLUTION

● Mr. ABRAHAM. Mr. President, on Tuesday morning, the President made it clear that efforts to achieve a negotiated political solution to the Kosovo crisis had failed and that military action in the form of NATO conducted air strikes employing US military equipment and personnel was imminent. Although I am very disappointed that the President did not include congressional leaders much earlier in this important debate, the fact remains that the President has begun the process, under his authority as Commander-in-Chief, which will lead to air strikes and will put the men and women of our armed forces in harm's way. My vote supporting S. Con. Res. 21 was, therefore cast, for the express purpose of conveying support for our troops who, at this moment, are ready to risk their lives on this very dangerous mission. My vote should not be interpreted as an endorsement of or authorization for any escalation to more extensive involvement, such as the introduction of ground troops in this conflict. Indeed, before any such escalation of our military commitment in this crisis is contemplated, I believe the President should give Congress a more significant role in the debate than we have thus far and address many critical questions regarding US military involvement. Specifically, the President must clearly explain what US national security interests are at stake, the mission objectives of our military action, the cost and duration of the deployment, and overall exit strategy. Failure to consult with Congress on these important issues in a timely fashion would significantly affect the extent of my support for any subsequent, broader US involvement.●

SEVERE DROP IN PORK PRICES

● Mr. ASHCROFT. Mr. President, I ask that two letters be printed in the RECORD. Senator BOND and I worked on an amendment to the supplemental appropriations bill that would help the plight of the hog farmers in the state of Missouri and across the nation.

The Missouri Farm Bureau, the Missouri Pork Producers, the American Farm Bureau, and National Pork Producers Council requested our assistance, and we have responded by working with the Appropriations Committee to get an amendment included in the supplemental appropriations bill that makes $250 million available for farmers struggling to survive the severe drop in pork prices. Under the amendment, the U.S. Department of Agriculture would be provided with $150 million new funds and would be given the authority to use another $100 million, that the USDA already has, to help hog farmers.

It is the understanding of those of us that have offered this amendment today that the majority of the funds available to the Secretary of Agriculture will be used on behalf of our nation's pork farmers. Last year, all of the major commodity groups received disaster assistance, but the hog farmers received nothing.

The letters from the Missouri Farm Bureau, the American Farm Bureau, and the National Pork Producers Council define further the farmers' interest in our amendment.

The letters follow:

MISSOURI FARM BUREAU FEDERATION,
Jefferson City, MO, March 18, 1999.

Hon. JOHN ASHCROFT,
U.S. Senate, Washington, DC.

Hon. CHRISTOPHER BOND,
U.S. Senate, Washington, DC.

DEAR SENATORS ASHCROFT AND BOND: On behalf of Missouri Farm Bureau, the state's largest general farm organization, I am writing to express our strong support of your efforts to make additional funding available to the U.S. Department of Agriculture for economic disaster payments to pork producers. We believe that waiving the existing cap on USDA Section 32 funds and appropriating an additional $150 million to Section 32 will pave the way for the Secretary of Agriculture to provide much-needed relief to pork producers.

According to the University of Missouri, cash receipts for the U.S. pork industry are expected to average less than $9 billion in 1998, a reduction of over $4 billion from the 1997 level of $13.2 billion. Although hog prices have recovered from the historic lows experienced over the October 1998–January 1999 period, they remain far below the average cost of production. Economists have now estimated the market failed to reflect normal supply and demand conditions last Fall when hog prices plummeted to 8 cents per pound. Studies indicate that under normal supply and demand conditions prices would have fallen to between $25.87 a hundredweight and $29.41 a hundredweight.

Funds that will be available for direct payments under Section 32 will not compensate pork producers for all the staggering losses experienced in recent months. However, these funds will enable producers to relieve some financial pressure making it easier to survive until profitability returns.

It is critical the Secretary of Agriculture understand the purpose of the pending amendment is to supplement existing Section 32 funds and provide emergency assistance to pork producers. We encourage the Secretary to work with Members of Congress and the agricultural community to develop the guidelines under which the funds will be administered. We do not support using the same parameters used for the recent Small Hog Operator Program.

Thank you for your leadership on this issue.

Sincerely,

CHARLES E. KRUSE,
President.

MARCH 18, 1999.

Hon. JOHN ASHCROFT,
U.S. Senate, Washington, DC.

DEAR SENATOR ASHCROFT: The American Farm Bureau Federation and the National Pork Producers Council commend you for your efforts to help pork producers who have suffered due to the lowest prices since the Great Depression.

We support your amendment to the FY 1999 supplemental appropriations bill, which would provide $150 million to USDA for additional aid to hog farmers. As you well know, U.S. pork producers lost over $2.5 billion in equity in 1998 and are expected to lose another $1 billion in equity in 1999. The nation's pork producers are facing another difficult year due to continued depressed prices and are looking to Congress for direction with regard to the recent economic disaster faced by the U.S. pork industry.

AFBF and NPPC appreciate your efforts on behalf of the nation's pork producers and look forward to working with you on behalf of agriculture.

Sincerely,

DEAN KLECKNER,
President, American Farm Bureau Federation.

JOHN MCNUTT,
President, National Pork Producers Council.●

EXTENDING THE PERIOD FOR WHICH CHAPTER 12 OF TITLE 11, UNITED STATES CODE, IS REENACTED

Mr. CRAPO. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of H.R. 808, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 808) to extend for 6 additional months the period for which chapter 12 of title 11, United States Code, is reenacted.

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

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

Mr. CRAPO. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed at the appropriate place in the RECORD.

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

The bill (H.R. 808) was considered read the third time and passed.

AMENDING THE SMALL BUSINESS ACT

Mr. CRAPO. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of H.R. 774, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 774) to amend the Small Business Act to change the conditions of participation and provide an authorization of appropriations for the women's business center program.

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

The PRESIDING OFFICER. There being no objection, the Senate proceeded to consider the bill.

Mr. BOND. Mr President, today we in the United States Senate have an opportunity to take an important step in strengthening the Women's Business Center Program at the Small Business Administration. The ''Women's Business Center Amendment Act of 1999'' authorizes SBA to make grants totaling up to $11 million annually to Women's Business Centers throughout the United States.

During the past decade, the number of women-owned small businesses has exploded. Women-owned small businesses are the fastest growing segment of our nation's business community. Years ago, there was an advertising campaign slogan proclaiming that women ''had come a long way.'' I find that slogan very applicable to the plateau now reached by women entrepreneurs. During this time, women business owners have established themselves as a key component of our small business community, which has been the engine driving our economy during the 1990's.

The research foundation arm of the National Association of Women Business Owners (NAWBO) has conducted studies which show that women no longer are having more trouble than men obtaining bank loans. However, obtaining a loan does not guarantee a business' success. In fact, many small businesses that start out well capitalized end up failing. Success of a small business is usually dependent on the owner's management capabilities. Women's Business Centers offer help to women entrepreneurs who are looking to start a business or who already have a business by providing them with business and education training, including marketing, finance, and management assistance.

For the past three years, I have worked with Senator DOMENICI Senator KERRY, and members of the Committee on Small Business first to save and later to expand the Women's Business Center Program. In 1996, when the Administration sought to zero-out the budget for the program, I helped lead the effort to earmark funds for the program within the SBA FY 1997 budget. Senator DOMENICI, Senator KERRY and I sponsored the ''Women's Business Centers Act of 1997,'' which expanded the program from $4 million to $8 million per year. This bill was incorporated into the ''Small Business Reauthorization Act of 1997'' (Public Law 105–135).

Last year, I sponsored the ''Year 2000 Readiness and Small Business Programs Restructuring and Reform Act of 1998,'' which included an increase from $8 million to $12 million and made other reforms in the Women's Business Center Program. This bill passed the Senate unanimously; unfortunately, the House of Representatives was not able to act on the bill before Congress adjourned. In light of the pressing demand to expand the authorization for the Women's Business Center Program, I applaud the Chairman of the House Committee on Small Business, JIM TALENT, and the Committee's ranking Democrat, NYDIA VELÁZQUEZ, for their efforts to push through House-passage of the bill so quickly this year.

The ''Women's Business Center Amendments Act of 1999'' brings us a giant step closer to achieving our goal of having at least one Women's Business Center up and running in each of the 50 states. Under this bill, SBA will be able to continue to fund the existing 35 eligible Centers and provide seed funding to new eligible applicant Centers in states not yet served by the program.

The bill authorizes $11 million for Fiscal Year 2000 for the Women's Business Center Program; however, the Administration has requested $9 million. This summer I intend to work closely with Senator KERRY on legislation to allow Women's Business Centers that have completed their initial three or five year Women's Business Center grants with SBA to apply for another five year grant to allow them to be able to continue to provide the high level of service they are currently delivering to women small business owners. Our initiative may require an increase in SBA's budget for the Women's Business Center Program for FY 2000, and I intend to study very closely the financial needs of the program. As a member of the Appropriations Committee, I will urge my colleagues to support an increase in the FY 2000 budget for the program, if necessary, that will allow it to expand and meet the needs of the growing number of women-owned small businesses. I strongly believe we must pursue this course even if that means pushing for an increase above the amount requested in the President's budget request.

Mr. President, it is critical that the Senate vote to approve the ''women's Business Center Act of 1999,'' so that the Federal government can continue to help make small business ownership a reality for women entrepreneurs. I urge my colleagues to support this important bill.

Mr. KERRY. Mr. President, today the Senate will vote on H.R. 774, the Women's Business Center Amendments Act of 1999. This bill will make small but important changes to the Women's Business Center program. First, similar to the bill that Senator CLELAND and I introduced last Congress, it will raise the authorization for the centers from $8 million to $11 million. Secondly, the bill changes the matching requirements for centers; instead of raising two non-Federal dollars for every Federal dollar in the third, fourth and fifth years, centers will only be required to raise one non-Federal dollar for every one Federal dollar. I

support this bill, thought I would prefer that the authorization and funding were increased to $12 million to make it consistent with the legislation our Committee passed last year. This program has been very successful in helping women start and grow businesses and it deserves generous funding.

Women-owned businesses are increasing in number, range, diversity and earning power. They constitute more than one-third of the 20 million small businesses in the United States, and account for some $3 trillion in annual revenues to the economy. Addressing the special needs of women-owned businesses serves not only entrepreneurs, but also the economic strength of this nation as a whole.

This bill further ensures that new and potential women business owners, who otherwise might be excluded from the economic mainstream of society, are afforded every opportunity to succeed through the Small Business Administration's Women's Business Centers program.

Centers are faced with the challenging task of teaching business basics and providing practical support and realistic encouragement. Massachusetts has an excellent example of a Women's Business Center—the Center for Women & Enterprise (CWE) in Boston. Andrea Silbert is a tireless executive director who effectively raises money, forges partnerships and designs thorough training and mentoring programs to help women entrepreneurs. When CWE trains an entrepreneur, she leans how to approach a lender for a loan, learns how to manage her business, and gains an understanding of the hows and whys of marketing. Nationwide, women should have access to this type of quality, comprehensive training.

It is clear that the centers are having a positive social and economic impact on the lives of many women and the communities which they serve. New clients continue to be racially and ethnically diverse: Some 40 percent are members of minority groups. About half are married, and half are single, widowed, divorced, or separated.

While this bill addresses some important issues, I am concerned about the unresolved problem of sustainability. How can established, effective centers that are at the end of the five-year Federal funding cycle continue to provide the same quality of services without the Federal contribution? It's their bread and butter, and it's indispensable leverage that helps centers raise the obligatory matching funding.

Agnes Noonan, executive director of the Women's Economic Self-Sufficiency Team (WESST corp.) in New Mexico recently reinforced this point when she testified before the Senate Committee on Small Business. With an 89 percent growth in the number of women-owned businesses over the last decade and a 161 percent increase in revenues, it is sound economic policy for the Federal government to support programs which facilitate the training and development of women business owners. It follows that we would be wise to safeguard the investment that has been made to date in the infrastructure of women's business centers around the country.

I believe we should find a fair way to let these centers recompete for the base funding. And we should do it this calendar year, before it's too late and the centers have lost their Federal funding and are out of business. I will be introducing a bill to allow Women's Business Centers to recompete for Federal funding in mid-April, when we return from the Easter recess. I hope that my colleagues with strong Women's Business Centers in their states will join me in sponsoring recompetition legislation.

Mr. President, I thank my colleagues for their continuing efforts to expand policies that allow women entrepreneurs to grow and thrive.

Mr. CRAPO. I ask unanimous consent that the bill be considered read a third time, and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed at the appropriate place in the RECORD.

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

The bill (H.R. 774) was considered read a third time and passed.

UNANIMOUS CONSENT AGREEMENT—H.J. RES. 26, H.J. RES. 27, H.J. RES 28

Mr. CRAPO. Mr. President, I ask unanimous consent that the Senate now proceed en bloc to the consideration of the following resolutions which are at the desk: H.J. Res. 26, H.J. Res. 27, and H.J. Res. 28. I further ask consent that the Senate proceed to their consideration en bloc, and I further ask consent that the joint resolutions be read the third time and passed, the motions to reconsider be laid upon the table, and the above occur en bloc.

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

REAPPOINTMENT OF BARBER B. CONABLE, JR. TO THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

The PRESIDING OFFICER. The clerk will report the resolution.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 26) providing for the reappointment of Barber B. Conable, Jr. as a citizen regent of the Board of Regents of the Smithsonian Institution.

The joint resolution (H.J. Res. 26) was considered read the third time and passed.

REAPPOINTMENT OF DR. HANNA H. GRAY TO THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

The PRESIDING OFFICER. The clerk will report the next resolution.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 27) providing for the reappointment of Dr. Hanna H. Gray as a citizen regent of the Board of Regents of the Smithsonian Institution.

The joint resolution (H.J. Res. 27) was considered read the third time and passed.

REAPPOINTMENT OF WESLEY S. WILLIAMS, JR. TO THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

The PRESIDING OFFICER. The clerk will report the next resolution.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 28) providing for the reappointment of Wesley S. Williams, Jr. as a citizen regent of the Board of Regents of the Smithsonian Institution.

The joint resolution (H.J. Res. 28) was considered read the third time and passed.

ORDER FOR STAR PRINT

Mr. CRAPO. Mr. President, I ask unanimous consent that the report to accompany S. 92 be star printed with the changes that are at the desk.

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

EXPRESSING THE SUPPORT OF THE SENATE FOR THE MEMBERS OF THE UNITED STATES ARMED FORCES WHO ARE ENGAGED IN MILITARY OPERATIONS AGAINST THE FEDERAL REPUBLIC OF YUGOSLAVIA

Mr. CRAPO. Mr. President, I ask unanimous consent that the resolution submitted earlier today by Senator LOTT regarding support of troops engaged in military operations in Yugoslavia be considered agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that all Senators be added as cosponsors of the resolution.

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

The resolution (S. Res. 74) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

Whereas the President has authorized United States participation in NATO military operations against the Federal Republic of Yugoslavia;

Whereas up to 22,000 members of the Armed Forces are presently involved in operations in and around the Balkans region with the active participation of NATO and other coalition forces; and

Whereas the Senate and the American people have the greatest pride in the members of the Armed Forces and strongly support them: Now, therefore, be it

Resolved, That the Senate supports the members of the United States Armed Forces who are engaged in military operations against the Federal Republic of Yugoslavia and recognizes their professionalism, dedication, patriotism, and courage.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. CRAPO. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on the Executive Calendar: Nos. 17, 19, 20, and 22.

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

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

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

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF STATE

William Lacy Swing, of North Carolina, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Democratic Republic of the Congo.

Robert A. Seiple, of Washington, to be Ambassador at Large for International Religious Freedom.

The following-named Career Member of the Senior Foreign Service, Class of Career Minister, for the personal rank of Career Ambassador in recognition of especially distinguished service over a sustained period:

Mary A. Ryan, of Texas

FOREIGN SERVICE

The following-named Career Member of the Senior Foreign Service of the Department of Agriculture for promotion in the Senior Foreign Service to the classes indicated: Career Member of the Senior Foreign Service of the United States of America, Class of Career Minister:

Warren J. Child

Career Members of the Senior Foreign Service of the United States of America, Class of Minister-Counselor:

Mary E. Revelt
John H. Wyss

The following-named Career Members of the Foreign Service of the Department of Agriculture for promotion into the Senior Foreign Service to the class indicated: Career Members of the Senior Foreign Service of the United States of America, Class of Counselor:

Weyland M. Beeghly
Larry M. Senger
Randolph H. Zeitner

The following-named Career Member of the Foreign Service for promotion into the Senior Foreign Service, and for appointment as Consular Officer and Secretary in the Diplomatic Service, as indicated: Career Member of the Senior Foreign Service of the United States of America, Class of Counselor:

Danny J. Sheesley

LEGISLATIVE SESSION

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

ORDERS FOR THURSDAY, MARCH 25, 1999

Mr. CRAPO. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9 a.m. on Thursday, March 25. I further ask that on Thursday, immediately following the prayer, the Journal of the proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved, and the Senate then resume consideration of S. Con. Res. 20, the concurrent budget resolution.

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

PROGRAM

Mr. CRAPO. For the information of all Senators, the Senate will reconvene on Thursday at 9 a.m. and immediately resume consideration of the budget resolution, with 10 hours remaining for consideration. Members should once again expect a busy day of debate and votes on remaining amendments to the budget bill, with a possibility of completing action on this legislation by late Thursday night. The cooperation of all Members will again be necessary in order to ensure a smooth and orderly process during the budget debate. The leader would also like to announce that if the Senate completes action on the budget resolution Thursday night, there would be no rollcall votes on Friday.

ORDER FOR ADJOURNMENT

Mr. CRAPO. Mr. President, I now ask unanimous consent that the Senate resume consideration of the budget resolution to allow the consideration of two amendments to be offered by Senator GRAHAM, and following his remarks, the Senate stand in adjournment under the previous order.

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

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2000

The Senate continued with the consideration of the bill.

Mr. GRAHAM addressed the Chair.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. GRAHAM. Mr. President, I have two amendments that I will submit. First is in the form of a sense-of-the-Senate amendment.

AMENDMENT NO. 164

(Purpose: To express the sense of the Senate that funds recovered from any Federal tobacco-related litigation should be set-aside for the purpose of first strengthening the Medicare trust fund and second to fund a Medicare prescription drug benefit)

Mr. GRAHAM. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Florida [Mr. GRAHAM] proposes an amendment numbered 164.

Mr. GRAHAM. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place, insert the following:

SEC. ___. SENSE OF THE SENATE CONCERNING RECOVERY OF FUNDS BY THE FEDERAL GOVERNMENT IN TOBACCO-RELATED LITIGATION.

(a) SHORT TITLE.—This section may be cited as the ''Federal Tobacco Recovery and Medicare Prescription Drug Benefit Resolution of 1999''.

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

(1) The President, in his January 19, 1999 State of the Union address—

(A) announced that the Department of Justice would develop a litigation plan for the Federal Government against the tobacco industry;

(B) indicated that any funds recovered through such litigation would be used to strengthen the medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.); and

(C) urged Congress to pass legislation to include a prescription drug benefit in the medicare program.

(2) The traditional medicare program does not include most outpatient prescription drugs as part of its benefit package.

(3) Prescription drugs are a central element in improving quality of life and in routine health maintenance.

(4) Prescription drugs are a key component to early health care intervention strategies for the elderly.

(5) Eighty percent of retired individuals take at least 1 prescription drug every day.

(6) Individuals 65 years of age or older represent 12 percent of the population of the United States but consume more than ⅓ of all prescription drugs consumed in the United States.

(7) Exclusive of health care-related premiums, prescription drugs account for almost ⅓ of the health care costs and expenditures of elderly individuals.

(8) Approximately 10 percent of all medicare beneficiaries account for nearly 50 percent of all prescription drug spending by the elderly.

(9) Research and development on new generations of pharmaceuticals represent new opportunities for healthier, longer lives for our Nation's elderly.

(10) Prescription drugs are among the key tools in every health care professional's medical arsenal to help combat and prevent the onset, recurrence, or debilitating effects of illness and disease.

(11) While Federal litigation against tobacco companies will take time to develop and execute, Congress should continue to work to address the immediate need among the elderly for access to affordable prescription drugs.

(12) Treatment of tobacco-related illness is estimated to cost the medicare program approximately $10,000,000,000 every year.

(13) In 1998, 50 States reached a settlement with the tobacco industry for tobacco-related illness in the amount of $206,000,000,000.

(14) Recoveries from Federal tobacco-related litigation, if successful, will likely be comparable to or exceed the dollar amount recovered by the States under the 1998 settlement.

(15) In the event Federal tobacco-related litigation is undertaken and is successful, funds recovered under such litigation should first be used for the purpose of strengthening the Federal Hospital Insurance Trust Fund and second to finance a medicare prescription drug benefit.

(16) The scope of any medicare prescription drug benefit should be as comprehensive as

possible, with drugs used in fighting tobacco-related illnesses given a first priority.

(17) Most Americans want the medicare program to cover the costs of prescription drugs.

(c) SENSE OF THE SENATE.—It is the sense of the Senate that the assumptions underlying the functional totals in this resolution assume that funds recovered under any tobacco-related litigation commenced by the Federal Government should be used first for the purpose of strengthening the Federal Hospital Insurance Trust Fund and second to fund a medicare prescription drug benefit.

Mr. GRAHAM. Mr. President, this resolution—''The Federal Tobacco Recovery and Medicare Prescription Drug Benefit Resolution of 1999''—urges the Administration to set aside funds from any Federal tobacco-related litigation for the primary purpose of strengthening the solvency of the Medicare Trust Fund and second to help pay for a Medicare prescription drug benefit.

In the President's January 19, 1999 State of the Union Address he announced that the Justice Department was preparing a litigation plan to take tobacco companies to court and that the funds recovered from such an effort would be used to strengthen the Medicare program.

The details of the Justice Department's litigation plan are still not known at this time. However, the United States Senate should be on record as to how any funds recovered should be spent.

It is my belief that our first priority must be to shore up the Medicare Trust Fund which, by the most recent estimates of the Congressional Budget Office, shows the program going into insolvency in 2010.

The second use of these funds should then go to help defray the costs of a Medicare prescription drug benefit.

While this resolution states clearly as to how these funds ought to be spent, a few things must be made clear:

1. This resolution must not impede our efforts to address the immediate need among seniors for access to affordable prescription drugs. We must do something now and must not use this resolution as an excuse not to act now.

2. The funding mechanism for this benefit is not a tax, is not a payroll increase, is not a premium increase and does not tap into the ''surplus''.

Some of you might ask the question, ''Why should we look to the tobacco industry to fund a Medicare prescription drug benefit?''

The answer to this question is clear. Tobacco companies produce a product that is responsible for millions of deaths and billions of dollars worth of tobacco-related illness in this country. Taxpayers should not be forced to pay for what the tobacco industry is primarily responsible for.

Medicare alone is estimated to incur more than $10 billion in expenses for the treatment of tobacco-related illness every year. This figure reflects what Medicare covers. What this figure does not reflect is the amount of money paid out of the pockets of beneficiaries for all the outpatient prescription drugs needed for the treatment of tobacco-related illness that Medicare does not cover. The types of drugs I am referring to include:

Zyban—The only prescription drug available to assist smokers in quitting. This would be a key element in a smoking cessation and broader prevention strategy.

Bronchodilators—used in the treatment of emphysema.

Nitroglycerin—used in the treatment of angina pectoris (reduction in blood flow to the heart).

Cholestyramine and Colestipol—used in the treatment of high cholesterol.

Calcium Channel Blockers/Diuretics/Beta Blockers/Vasodilators—used in the treatment of high blood pressure.

The use of tobacco products and the cost of treatment is draining the Medicare program. But it is costing Medicare beneficiaries their lives.

According to the American Cancer Society, individuals who smoke have double the heart attack risk of non-smokers. Cigarette smoking is the biggest risk factor for sudden cardiac death. And smokers who have a heart attack are more likely to die and die suddenly (within an hour) than are non-smokers.

These are real costs that real people face every day.

Combine these sobering facts with the overwhelming desire among nearly all our colleagues, the Nation's leading policy experts, and most importantly, beneficiaries of the program, that prescription drugs must be included in any reform of the Medicare program. The need for prescription drugs is undeniable. Just listen to some of the facts:

80 percent of retired persons take a prescription drug every day.

Annual drug expenditures for the average Medicare beneficiary are approximately $600.

While individuals 65 or older represent 12 percent of the U.S. population, they consume more than one-third of all prescription drugs.

Excluding the cost of premiums, drugs account for almost one-third of the elderly's health costs and expenditures.

Approximately 10 percent of Medicare beneficiaries account for nearly half of all drug spending among the elderly.

By 2007, the Health Care Financing Administration projects that drug costs will make up over 8 percent of total health care spending (in 1996 this figure was 6 percent).

Combine this need with the fact that in a recent study published in the journal Health Affairs, approximately one third of all Medicare beneficiaries have no prescription drug coverage at all.

And the two-thirds of Medicare beneficiaries that reportedly do have coverage (through supplemental programs such as Medigap or employee-based retirement health plans) have coverage that is not uniform, often limited, and frequently very expensive.

A recent study conducted by the League of Women Voters and the Kaiser Family Foundation, in which over 6,500 of current and future Medicare beneficiaries were interviewed on their views of reforming the Medicare program, found that after fraud, waste, and abuse, the number one concern for beneficiaries is access to affordable prescription drugs.

Advances in biotechnology and genetic engineering have brought about a true revolution in the care and treatment of patients. What once seemed science fiction in 1965 is today's scientific reality.

In today's, and tomorrow's, health care system, prescription drugs are an integral part of every health care professional's medical arsenal.

But these advances in technology have come at a price. A price that, for many seniors, is not affordable. Or even worse, forces them to make decisions nobody should face.

Decisions about purchasing drugs or paying the rent. Or skipping doses of a prescription or reducing the dosage to make it last longer—decisions that can often have serious health consequences.

What good are the best drugs in the world if nobody can afford them or they bankrupt people trying to do the right thing?

This is where this resolution makes a difference. This resolution says that we ought to find a way to pay for prescription drugs. To pay for them in a manner that is fiscally responsible.

As I noted earlier, this resolution does not guarantee a Medicare prescription drug benefit since it is contingent upon a successful litigation effort by the Justice Department.

And, the size and scope of a benefit funded by such a recovery would be dependent on the size of the recovery.

To give my colleagues a sense of the potential size of a successful litigation effort, and using the recent State tobacco settlement as a benchmark, we could expect a Federal lawsuit that could match or exceed the $206 billion settlement of the States.

So this is no small undertaking and has the potential to have far reaching, positive consequences for the Medicare program.

This resolution would also prioritize the types of prescription drugs that ought to be funded. First priority would go to funding drugs used in the treatment of tobacco-related illness. If additional funds are available, the range of drugs could then be expanded.

I want to re-iterate that this resolution should not be used to take this distinguished body off the hook for addressing the immediate need among seniors for affordable prescription drugs.

We must continue to work to find a way to handle this problem now. Our resolution, if adopted, would provide momentum for this effort and for the Justice Department's litigation efforts.

Finally, this resolution has the support of the nation's largest senior

membership organization, the American Association of Retired Persons.

I urge my colleagues to support this resolution.

Mr. President, last week, we had very heated debate on the question of whether the Federal Government should designate a portion of the tobacco settlements received by the 50 individual States and require them to use those designated funds for certain specific purposes. By more than a 2-to-1 margin, the Senate rejected that proposal.

There were a number of reasons why the Senate rejected that proposal. I think they were strong and compelling reasons. They included the fact that the States had initiated these litigations against the tobacco industry without the assistance of the Federal Government, that the States were acting responsibly in utilizing the tobacco funds; and I believe a persuasive reason was the fact that the Federal Government announced its intention to initiate its own litigation against the tobacco industry for its loss of revenue through programs such as Medicare to tobacco-related diseases.

This amendment builds upon that debate of last week. It builds, also, upon a statement that was made by the President in his January 19 State of the Union Address in which the President stated that the Justice Department was preparing a litigation plan to take tobacco companies to court, and that the funds recovered from that effort would be used to strengthen the Medicare program. The details of the Justice Department litigation plan are still unknown at this time. However, I think it is appropriate that the Senate should be on record as to how these funds, when recovered, should be utilized.

It is my belief that the first priority must be to strengthen the Medicare system, and that the most appropriate method of achieving that objective is to provide that the first call of any recovery from a Federal tobacco litigation would be to replace those funds in the Medicare trust fund that have been excessively expended in order to treat tobacco-related afflictions.

Second is that those funds should be used to commence a Medicare prescription drug benefit. Why is it appropriate that the second call for these funds should be to fund a prescription medication benefit? These reasons include that a substantial amount of the expenditures for tobacco-related diseases end up having a pharmacological cost, and some of the most used and most expensive medications are those which are related to the treatment through prescription medication of tobacco-related diseases. Zyban, for instance, is the only prescription drug available to assist smokers in quitting their addiction. Other drugs that relate to bronchitis, used for treatment in emphysema, nitroglycerin, and used for treatment of angina pectoris, a disease frequently associated with tobacco use, are examples of the types of prescription medications that are utilized in large part because of a tobacco affliction. The use of tobacco products is costing Medicare by draining its resources. But it is costing the Medicare beneficiaries potentially their lives.

According to the American Cancer Society, individuals who smoke have double the heart attack risk of nonsmokers. Therefore, they are more likely to require the medication associated with heart disease. Cigarette smoking is the biggest risk factor for sudden cardiac death. Smokers who had a heart attack are more likely to die, and die suddenly, than nonsmokers. These are real costs, these are real people whose lives are at stake.

Mr. President, just listen to some of the facts in terms of the use by our Medicare beneficiary population of prescription medication—medication which today is not covered by the Medicare program. Eighty percent of retired persons take at least one prescribed drug every day.

Annual drug expenditures for the average Medicare beneficiary is $600. While individuals 65 or older represent only 12 percent of the United States population, they consume more than one-third of all prescription drugs. Excluding the cost of premiums, drugs account for almost one-third of the elderly's health costs and expenditures. Approximately 10 percent of Medicare beneficiary accounts for nearly half of all drug spending among the elderly.

By the year 2007, the Health Care Finance Administration projects that drug costs will make up over eight percent of total health care spending. This compares to 6 percent as recently as 1996.

Mr. President, these are all reasons why it is appropriate that as the Federal Government commences its litigation to recover the cost that the Federal Government has expended through programs such as Medicare, that the first use of these funds should be to strengthen Medicare, and the second use should be to commence the funding of a prescription drug benefit.

This proposal is receiving the strong support of groups which represent the interests of older Americans. The AARP has officially endorsed the concept of utilizing recoveries from the to be litigation by the Federal Government for purposes of strengthening Medicare and then providing for a prescription drug benefit.

The American Association of Retired Persons is a strong voice in support of this proposal.

Mr. President, I urge that my colleagues give their support in adopting this amendment.

Mr. President, I ask uanimous consent to have printed in the RECORD a letter from the American Association of Retired Persons.

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

AARP,
Washington, DC, March 24, 1999.

Hon. BOB GRAHAM,
U.S. Senate,
Washington, DC.

DEAR SENATOR GRAHAM: Thank you for the opportunity to review the ''Affordable Prescription Drugs for Seniors Resolution'' that you plan to offer during the Senate's debate of the FY 2000 Budget Resolution. I want to commend you for your leadership in calling the Congress's attention to the issue of the high cost of prescription drugs and the difficulties older Americans have because outpatient prescription drugs are not included in Medicare's benefit package.

Since Medicare was created over 30 years ago, prescription drugs have become more and more central to the delivery of high quality health care. As a result most health insurance plans for workers cover prescription drugs. Medicare, however, does not. A huge challenge before us is to find an affordable way to provide prescription drug coverage to Medicare beneficiaries in whatever health care plan they choose.

Your resolution presents a way to help finance a prescription drug benefit through earmarking a portion of funds recovered from any tobacco-related federal litigation. AARP views this idea as a constructive effort to address a very serious problem for millions of Medicare beneficiaries. For years, the Medicare program has borne the cost of caring for people with tobacco-related illnesses. It, therefore, seems fair and reasonable that this health insurance program get a share of funds recovered from a Justice Department lawsuit to fund a needed benefit. However, as you point out, your proposal is contingent upon successful federal litigation.

Providing Medicare beneficiaries with a prescription drug benefit is an important issue for AARP and we are pleased that your resolution begins to address this. We look forward to working with you and other Members of Congress on a bipartisan basis to investigate approaches for providing a Medicare prescription drug benefits and to address the high cost of prescription drugs. Please feel free to contact me or have your staff contact Tricia Smith or Mila Becker of our Federal Affairs Health Team at (202) 434–3770.

Sincerely,

HORACE B. DEETS,
Executive Director.

AMENDMENT NO. 165

(Purpose: To express the sense of the Senate that the Congress and the President should offset inappropriate emergency funding from fiscal year 1999 in fiscal year 1999.)

Mr. GRAHAM. Mr. President, I send an amendment to the desk, which is cosponsored by Senators SNOWE and FEINGOLD.

The PRESIDING OFFICER (Mr. CRAPO). The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Florida (Mr. GRAHAM), for himself, and Mr. FEINGOLD, and Ms. SNOWE, proposes an amendment numbered 165.

Mr. GRAHAM. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end of title III, insert the following:

SEC. . SENSE OF THE SENATE ON OFFSETTING INAPPROPRIATE EMERGENCY SPENDING.

It is the sense of the Senate that the levels in this resolution assume that—

(1) some emergency expenditures made at the end of the 105th Congress for fiscal year 1999 were inappropriately deemed as emergencies; and

(2) Congress and the President should identify these inappropriate expenditures and fully pay for these expenditures during the fiscal year in which they will be incurred.

Mr. GRAHAM. Mr. President, we learned last year that five years of fiscal austerity and economic growth had transformed a $290 billion deficit into the first budget surplus in more than a generation.

I am dedicated to strengthening the nation's long-term economic prospects through prudent fiscal policy.

This discipline helped to create favorable economic, fiscal, demographic and political conditions to address the long-term Social Security and Medicare deficits that will accompany the aging of our nation's population.

These deficits threaten to undo the hard work and fiscal discipline of recent years as well as undermine our potential for future economic growth.

But that success did not give the Congress license to return to the free-spending ways of the past—especially since 100 percent of the surplus was the result of surpluses in the Social Security Trust Fund.

We owe it to our children and grandchildren to save this money until Social Security's long-term solvency is assured.

Unfortunately, Mr. President, the last legislative action of the last Congress made a mockery of our promises to be fiscally disciplined.

In the waning hours of last fall's budget negotiations, we passed a $532 billion Omnibus Appropriations Bill.

Included in that was $21.4 billion in so-called ''emergency'' spending.

Since that $21.4 billion could be approved without offsets, that funding came right out of the surplus—reducing it from $80 billion to $59 billion.

That action would have been more palatable had all of the supposedly ''emergency'' funds been allocated for true emergencies.

But while some of the $21.4 billion was used to fund what had traditionally been accepted as emergencies—necessary expenditures for sudden, urgent or unforeseen temporary needs—much of it was not.

For example, the Y2K computer problem received $3.35 billion.

And $100 million went to a new visitors center at the Capitol.

These projects might be worthy. They might be mandatory.

But to label them ''emergency'' threatens to undermine efforts to safeguard the surplus of Social Security.

Even worse, this budgetary slight of hand was also used to increase funding for projects that had been funded in the regular appropriations process.

For example, after previously allocating $270.5 billion for defense, Congress provided an additional $8.3 billion in ''emergency'' defense spending in the Omnibus Appropriations Bill.

And that's not all.

Because these pseudo-emergency spending provisions were included in an Omnibus Appropriations Conference Report, they could not be removed without sending the entire funding package down to defeat.

Members of both Houses were left with an unpalatable choice: shut down the government, or steal from our children's and grandchildren's Social Security surplus.

Mr. President, that's not a choice. It's a national disgrace.

It is vital that we institute an emergency spending process that responds quickly to true emergencies without opening the door to misuse.

We must establish procedural safeguards to deter future Congresses from misusing the emergency spending process.

We should not attach any emergency spending to non-emergency legislation or designate emergency spending measures that do not meet the definition of an emergency.

Mr. President, in February I was pleased to join Senator OLYMPIA SNOWE of Maine in introducing legislation that will protect our newly won budget surplus from false, emergency budgetary alarms.

We proposed three reforms.

First, to create a point of order, similar to the Byrd Rule, that prevents non-emergency items from being included in emergency spending.

This will enable members to challenge the validity of any individual item that is designated an emergency without defeating the entire emergency spending bill.

Second, to require a 60-vote supermajority in the Senate for passage of any bill that contains emergency spending, whether it is designated an ''emergency'' spending bill or not.

This will encourage Congress to either pay for supplemental appropriations or make sure they represent a true emergency.

And third, to make all proposed emergency spending subject to a 60-vote point of order in the Senate.

This rule will help to prevent non-emergency items from ever being included in emergency legislation.

But even if passed, our legislation will not be the total cure for Congress' budding addiction to emergency spending.

In the short term, it is vital that we immediately replenish the surplus with the funds that were ''borrowed'' last fall.

On the day after passage of the Omnibus Appropriations Act—October 21, 1998—I wrote the President and asked that the federal government commit itself to restoring funding the the non-traditional ''emergency'' items during this fiscal year.

I did not receive a response.

So in January, I again wrote to the President and made the same request for a commitment to fiscal discipline.

Once again, I have not received a response.

And on January 18, 1999, Roll Call published an opinion piece of mine in which I asked the President to address this subject in his State of the Union address.

He did not.

Fortunately, the United States Constitution says that the Congress need not wait for the President.

We can—and must—take the steps necessary to restore the budget surplus to its previous levels.

And we must do that now, before the urge to spend the surplus becomes a full-fledged addiction.

To that end, tonight I am introducing a Sense of the Senate Resolution that starts the process of rectifying last fall's budgetary process.

Its message is simple: Congress and the President should restore those funds that were inappropriately deemed as emergencies and taken from the budget surplus.

Mr. President, as we debate the first post-deficit Budget Resolution in more than a quarter-century, it is vital that the American people know that we will maintain the fiscal discipline that has helped to produce our favorable economic climate.

Fiscal responsibility means taking responsibility for our mistakes—and ensuring that we do not misuse our emergency spending powers.

The next Congress that leaves the door wide open to raids on the surplus will be the one that passes on more debt—and a less secure Social Security system—to our children and grandchildren.

Mr. President, we have heard much today—and I particularly commend you and Senator GRAMS of Minnesota for the amendment that you just offered—on the subject of locking up the non-Social Security surplus in excess of that which is currently anticipated. We have considered several proposals throughout the day today. I anticipate other proposals of a similar nature will be considered tomorrow. I believe there is a strong resolve among the Members of the Senate to protect both the Social Security surplus and the non-Social Security surplus and to use it for appropriate purposes.

I might say personally that I believe the first use of the money should be to reduce the enormous national debt that we have accumulated over the last 30 years, and I will advocate that be the priority purpose. Unless we first direct our attention to protecting the surplus itself, there won't be anything left, no matter how tightly it is contained in a lockbox to be used for any of these desirable ends. So our first goal must be to focus on how can we protect the surplus itself, and then see that the surplus is used for appropriate purposes.

Recently, Senator OLYMPIA SNOWE and myself introduced legislation which was intended to close one of the loopholes which you, Mr. President, have just alluded to. That was a major source of leakage of the surplus as recently as October of last year. That

was the inappropriate use of the so-called ''emergency appropriations account.'' Certainly there are emergencies. We have a policy that where there are emergencies defined as being ''unexpected events,'' particularly of a scale that is beyond the capacity of a local community to appropriately respond without Federal assistance, that for those true emergencies we do not require that there be an offset in spending, or a tax increase to pay for them. The problem is that last October an appropriate public policy for true emergencies was stretched out of recognition by having many other items which had never in the past been thought of as emergencies included in that emergency account, and suddenly over $21 billion was expended. It was expended in a way, Mr. President, because it was included in a conference committee report that was not subject to amendment that was no way to excise, to apply a scalpel to cut out those inappropriate items.

The amendment that we are offering in the form of a sense of a Senate would commit this Senate to first analyst those items in that $21 billion emergency expenditure that is outside the traditional definition of an emergency, and we would commit ourselves in this fiscal year and in the next two fiscal years when expenditures of those funds are provided for pursuant to our action in October to find offsets. That is, we would not continue to treat them as emergencies. Just because we made a serious error last fall, we are not committed to continuing to repeat that error this year, next year, and two years from now.

Let me just illustrate with this graph why I think focusing on protecting the surplus is so critical.

In 1998, we had a total Social Security surplus of the $99 billion. The first thing that came off the top of that $99 billion was that we had a $27 billion deficit in the non-Social Security account. The first use of the Social Security surplus in 1998 was to pay the deficit, and the rest of the budget. Then in addition to that, in 1998, we designated $3 billion as emergency outlays, which meant that we didn't have to either find new taxes to pay for them, or cut spending someplace else to replace these emergency expenditures. They came out of the surplus. What started out as a $99 billion surplus ended up as a $69 billion surplus. So effectively, $30 billion that should have gone to protect the Social Security fund was drained away to pay for deficit elsewhere in the Federal Government, and for emergency accounts.

In 1999, we start with a Social Security surplus of $127 billion. Again, the first call on that was to pay the deficit in the rest of the Federal Government, which, fortunately, has significantly shrunk from $27 billion year before to $3 billion in the year 1999. But what ballooned was the emergency account. This is where that October raid on the surplus showed up in our 1999 account with a $13 billion hit against the Social Security surplus.

Last year we lost $16 billion that should have gone to protect the solvency of the Social Security fund and was used to fund other Federal deficits, emergencies, a significant proportion of which were emergencies in name only.

We have already started to ''cook the cake'' for the year 2000 where we are projecting a non-Social Security deficit of $5 billion.

I was pleased with some of the remarks that our Presiding Officer made earlier this evening in which he indicated that maybe when the next estimate of our national fiscal position based on the strength of the economy is made we will in fact not face this $5 billion deficit in fiscal year 2000. I hope his prophesy comes to be.

But we also have already added $5 billion by the emergency, so-called emergency, expenditures of October of 1998, to the year 2000 fiscal year. So, with a $138 billion Social Security surplus, we are going to be reducing it by $10 billion to pay off deficits elsewhere and these emergency accounts.

So the amendment we are offering states that we commit ourselves that we will first closely scrutinize those items which were listed as an emergency in October of 1998, and for those that do not meet the test of being a true emergency, that we will commit ourselves to find appropriate offsets to pay for those emergencies and not use them as a further raid against the Social Security system and against the surplus which is to provide for its solvency.

Mr. President, I anticipate that not only on this legislation but on other legislation which will be presented by the budget and the Governmental Affairs Committee, we will be considering some fundamental changes in the way in which we deal with emergency appropriations so we will not ever repeat the larceny against the Social Security trust fund and against the surpluses which support it that occurred late at night in October of 1998.

I urge my colleagues to take the first step towards overcoming the indignity that we committed to the Social Security system last October by committing ourselves to restore to the Social Security surplus those expenditures which were inappropriately listed as emergencies.

I urge the adoption of this amendment when it comes before the Senate tomorrow.

The PRESIDING OFFICER. The Senator from New Jersey.

AMENDMENTS. NOS. 166 THROUGH 175

Mr. LAUTENBERG. Mr. President, I send the following amendments to the desk. I ask that they all be considered as offered and laid aside and that related statements be printed in the RECORD at the appropriate place.

The amendments are as follows: One from Senator LAUTENBERG, one from Senator SCHUMER, two from Senator FEINSTEIN, one from Senator HARRY REID of Nevada, two from Senator MURRAY, one from Senator HOLLINGS, and two from Senator BOXER.

I ask, as I earlier said, they be considered as offered and laid aside.

The PRESIDING OFFICER. Without objection, the Senator's request for consideration of the amendments which were just read is agreed to. The amendments will then be laid aside.

The amendments are as follows:

AMENDMENT NO. 166

(Purpose: To express the sense of the Senate on saving Social Security and Medicare, reducing the public debt, and targeting tax relief to middle-income working families.)

At the end of title III, insert the following:

SEC. ____. SENSE OF THE SENATE ON SAVING SOCIAL SECURITY AND MEDICARE, REDUCING THE PUBLIC DEBT, AND TARGETING TAX RELIEF TO MIDDLE-INCOME WORKING FAMILIES.

It is the sense of the Senate that the provisions of this resolution assume that—

(1) Congress should adopt a budget that—

(A) reserves the entire off-budget surplus for Social Security each year; and

(B) over 15 years, like the President's budget, reserves—

(i) 77 percent, or $3,600,000,000 of the total surplus for Social Security and Medicare;

(ii) 23 percent, or $1,000,000,000 of the surplus for—

(I) investments in key domestic priorities such as education, the environment, and law enforcement;

(II) investments in military readiness; and

(III) pro-savings tax cuts for working families;

(2) any tax cuts or spending increases should not be enacted before the solvency of Social Security is assured and Medicare solvency is extended twelve years;

(3) the 77 percent or $3,600,0000,000 of the total surplus for Social Security and Medicare should be used to reduce the publicly held debt; and

(4) any tax cuts should be targeted to provide tax relief to middle-income working families and should not provide disproportionate tax relief to people with the highest incomes.

Mr. LAUTENBERG. Mr. President, earlier we considered an amendment that asked the Senate to endorse every line in the President's budget.

This amendment asks the Senate to endorse only the general principles of that budget and its proposals for using projected budget surpluses.

The President's budget calls for no net increase in spending and no net tax cut until we have acted to reform Social Security. It is vital that we make Social Security our top priority so that the program will still be strong when our children and grandchildren are ready to retire.

The amendment I have now proposed would address what many describe as the President's other budget, his framework for using projected budget surpluses once we have taken care of Social Security.

This amendment lays out the President's overall principles, which are designed to prepare our Nation for the next century.

The amendment says that Congress should reserve the entire off-budget surplus for Social Security and, over 15

years, allocate: 77 percent or $3.6 trillion of the total surplus for Social Security and Medicare; and 23 percent of the surplus, or $1 trillion, for investments in key domestic priorities, such as education, the environment, and law enforcement; investments in military readiness, and pro-savings tax cuts for working families.

The amendment also says that tax cuts or spending increases should not be enacted before the solvency of Social Security is assured and Medicare solvency is extended 12 years.

In addition, the amendment states that the 77 percent or $3.6 trillion of the total surplus for Social Security and Medicare should be used to reduce publicly held debt. That would provide great dividends for our economy. Reducing the future debt burden and future interest costs would essentially provide a tax cut for our children.

And, finally, the amendment says that any tax cuts should be targeted to provide tax relief to middle-income working families and should not provide disproportionate tax relief to people with the highest incomes.

Mr. President, this framework emphasizes saving for the future. It's fiscally responsible. It would help protect Social Security and Medicare. And it calls for tax relief and investments where they are most needed.

The amendment does not endorse every dot and comma of the President's budget. But it would endorse the overall priorities of that proposal.

I hope my colleagues will support it.

AMENDMENT NO. 167

(Purpose: To express the sense of the Senate tha the COPS Program should be reauthorized)

At the appropriate place, insert the following:

SEC. ___. SENSE OF THE SENATE ON REAUTHORIZING THE COPS PROGRAM.

(a) FINDINGS.—The Senate finds that—

(1) as of December 1998, the Community Oriented Policing Services (COPS) Program had awarded grants for the hiring or redeployment to the nation's streets of more than 92,000 police officers and sheriff's deputies;

(2) according to the United States Bureau of Justice Statistics, the Nation's violent crime rate declined almost 7 percent during 1997 and has fallen more than 21 percent since 1993; and

(3) enhanced community policing has significantly contributed to this decline in the violent crime rate.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that the Community Oriented Policing Services (COPS) Program should be reauthorized in order to provide continued Federal funding for the hiring, deployment, and retention of community law enforcement officers.

AMENDMENT NO. 168

(Purpose: To express the sense of the Senate regarding school construction grants, and reducing school sizes and class sizes)

At the appropriate place, insert the following:

SEC. ___. SENSE OF THE SENATE.

It is the sense of the Senate that the assumptions underlying the functional totals in this resolution assume that funds will be provided for legislation—

(1) to provide 50–50 matching grants to build new schools, and to reduce school sizes and class sizes, so that—

(A)(i) kindergarten through grade 5 schools serve not more than 500 students;

(ii) grade 6 through grade 8 schools serve not more than 750 students; and

(iii) grade 9 through grade 12 schools serve not more than 1,500 students; and

(B)(i) kindergarten through grade 6 classes have not more than 20 students per teacher; and

(ii) grade 7 through grade 12 classes have not more than 28 students per teacher; and

(2) to enable students to meet academic achievement standards, and to enable school districts to provide remedial education and terminate the practice of social promotion.

AMENDMENT NO. 169

(Purpose: To express the sense of the Senate on the social promotion of elementary and secondary school students)

At the end of title III, add the following:

SEC. ___. SENSE OF THE SENATE ON SOCIAL PROMOTION.

It is the sense of the Senate that the assumptions underlying the functional totals in this resolution assume that funds will be provided for legislation—

(1) to provide remedial educational and other instructional interventions to assist public elementary and secondary school students in meeting achievement levels; and

(2) to terminate practices which advance students from one grade to the next who do not meet State achievement standards in the core academic curriculum.

AMENDMENT NO. 170

(Purpose: To express the sense of the Senate regarding social security ''notch babies'')

At the appropriate place, insert:

SEC. ___. SENSE OF THE SENATE REGARDING SOCIAL SECURITY NOTCH BABIES.

(a) FINDINGS.—The Senate finds that—

(1) the Social Security Amendments of 1977 (Public Law 95–216) substantially altered the way social security benefits are computed;

(2) those amendments resulted in disparate benefits depending upon the year in which a worker becomes eligible for benefits; and

(3) those individuals born between the years 1917 and 1926, and who are commonly referred to as ''notch babies'' receive benefits that are lower than those retirees who were born before or after those years.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution and legislation enacted pursuant to this resolution assume that the Congress should allow workers who attain age 65 after 1981 and before 1992 to choose either lump sum payments over 4 years totaling $5,000 or an improved benefit computation formula under a new 10-year rule governing the transition to the changes in benefit computation rules enacted in the Social Security Amendments of 1977.

Mr. REID. Mr. President, the Social Security notch causes 11 million Americans born between the years 1917–1926 to receive less in Social Security benefits than Americans born outside the notch years.

The notch inequity is a direct result of changes made by Congress in 1977 to the Social Security benefits formula.

It is important that we restore the confidence of the notch victims and show them that we in Congress will accept responsibility for any error that was made.

While we must save Social Security for the future, we have an obligation to those who receive less than individuals who were fortunate enough to have been born just days before or after the notch period.

Many notch babies, through no fault of their own, receive more than $200 less per month than their neighbors.

It is time for us to right this wrong. I recently introduced legislation—the Notch Fairness Act of 1999—that proposes using any projected budget surplus to pay a lump sum benefit to notch babies.

While we have a surplus, let's fix the notch problem once and for all and restore the confidence of the millions of notch babies across this land.

Government has an obligation to be fair. I don't think we have been in the case of the notch babies.

Please join my efforts to correct the inequity created by the Social Security notch.

AMENDMENT NO. 171

(Purpose: To ensure that the President's after school initiative if fully funded for fiscal year 2000)

At the end of title III, insert the following:

SEC. ___. SENSE OF THE SENATE ON FUNDING FOR AFTER SCHOOL EDUCATION.

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

(1) The demand for after school education is very high. In fiscal year 1998 the Department of Education's after school grant program was the most competitive in the Department's history. Nearly 2,000 school districts applied for over $540,000,000.

(2) After school programs help to fight juvenile crime. Law enforcement statistics show that youth who are ages 12 through 17 are most at risk of committing violent acts and being victims of violent acts between 3:00 p.m. and 6:00 p.m. After school programs have been shown to reduce juvenile crime, sometimes by up to 75 percent according to the National Association of Police Athletic and Activity Leagues.

(3) After school programs can improve educational achievement. They ensure children have safe and positive learning environments in the after school hours. In the Sacramento START after school program 75 percent of the students showed an increase in their grades.

(4) After school programs have widespread support. Over 90 percent of the American people support such programs. Over 450 of the nation's leading police chiefs, sheriffs, and prosecutors, along with presidents of the Fraternal Order of Police, and the International Union of Police Associations support government funding of after school programs. And many of our nation's governors endorse increasing the number of after school programs through a Federal of State partnership.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that Congress will provide $600,000,000 for the President's after school initiative in fiscal year 2000.

AMENDMENT NO. 172

(Purpose: To fully fund the Class Size Initiative, the amendment reduces the resolution's tax cut by ten billion dollars, leaving adequate room in the revenue reconciliation instructions for targeted tax cuts that help those in need and tax breaks for communities to modernize and rebuild crumbling schools)

On page 3, strike beginning with line 5 through page 5, line 14, and insert the following:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution—

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2000: $1,401,979,000,000.
Fiscal year 2001: $2,435,289,000,000.
Fiscal year 2002: $1,456,068,000,000.
Fiscal year 2003: $1,532,507,000,000.
Fiscal year 2004: $1,586,777,000,000.
Fiscal year 2005: $1,650,486,000,000.
Fiscal year 2006: $1,683,892,000,000.
Fiscal year 2007: $1,736,436,000,000.
Fiscal year 2008: $1,805,797,000,000.
Fiscal year 2009: $1,865,515,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2000: $0.
Fiscal year 2001: −$7,358,000,000.
Fiscal year 2002: −$52,208,000,000.
Fiscal year 2003: −$30,811,000,000.
Fiscal year 2004: −$47,372,000,000.
Fiscal year 2005: −$60,412,000,000.
Fiscal year 2006: −$106,822,000,000.
Fiscal year 2007: −$134,964,000,000.
Fiscal year 2008: −$150,412,000,000.
Fiscal year 2009: −$177,195,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2000: $1,426,931,000,000.
Fiscal year 2001: $1,457,794,000,000.
Fiscal year 2002: $1,489,177,000,000.
Fiscal year 2003: $1,562,248,000,000.
Fiscal year 2004: $1,614,578,000,000.
Fiscal year 2005: $1,668,643,000,000.
Fiscal year 2006: $1,697,402,000,000.
Fiscal year 2007: $1,752,567,000,000.
Fiscal year 2008: $1,813,739,000,000.
Fiscal year 2009: $1,873,969,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2000: $1,408,292,000,000.
Fiscal year 2001: $1,435,289,000,000.
Fiscal year 2002: $1,456,068,000,000.
Fiscal year 2003: $1,532,507,000,000.
Fiscal year 2004: $1,583,878,000,000.
Fiscal year 2005: $1,640,655,000,000.
Fiscal year 2006: $1,669,062,000,000.
Fiscal year 2007: $1,716,673,000,000.
Fiscal year 2008: $1,780,977,000,000.
Fiscal year 2009: $1,840,699,000,000.

On page 23, strike beginning with line 14 through page 25, line 3, and insert the following:

Fiscal year 2000:
(A) New budget authority, $67,373,000,000.
(B) Outlays, $63,994,000,000.
Fiscal year 2001:
(A) New budget authority, $68,049,000,000.
(B) Outlays, $65,430,000,000.
Fiscal year 2002:
(A) New budget authority, $68,995,000,000.
(B) Outlays, $66,947,000,000.
Fiscal year 2003:
(A) New budget authority, $75,069,000,000.
(B) Outlays, $70,023,000,000.
Fiscal year 2004:
(A) New budget authority, $78,948,000,000.
(B) Outlays, $74,262,000,000.
Fiscal year 2005:
(A) New budget authority, $80,264,000,000.
(B) Outlays, $78,118,000,000.
Fiscal year 2006:
(A) New budget authority, $78,229,000,000.
(B) Outlays, $79,643,000,000.
Fiscal year 2007:
(A) New budget authority, $79,133,000,000.
(B) Outlays, $78,909,000,000.
Fiscal year 2008:
(A) New budget authority, $80,144,000,000.
(B) Outlays, $79,389,000,000.
Fiscal year 2009:
(A) New budget authority, $80,051,000,000.
(B) Outlays, $79,059,000,000.

On page 42, strike lines 1 through 5 and insert the following:

(1) to reduce revenues by not more than $0 in fiscal year 2000, $137,750,000,000 for the period of fiscal years 2000 through 2004, and $767,552,000,000 for the period of fiscal years 2000 through 2009; and

AMENDMENT NO. 173

(Purpose: To express the sense of the Senate on women and Social Security reform)

At the end of title III, add the following:

SEC. ___. SENSE OF THE SENATE ON WOMEN AND SOCIAL SECURITY REFORM.

(a) FINDINGS.—The Senate finds that—

(1) without Social Security benefits, the elderly poverty rate among women would have been 52.2 percent, and among widows would have been 60.6 percent;

(2) women tend to live longer and tend to have lower lifetime earnings than men do;

(3) during their working years, women earn an average of 70 cents for every dollar men earn; and

(4) women spend an average of 11.5 years out of their careers to care for their families, and are more likely to work part-time than full-time.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that—

(1) women face unique obstacles in ensuring retirement security and survivor and disability stability;

(2) Social Security plays an essential role in guaranteeing inflation-protected financial stability for women throughout their old age;

(3) the Congress and the Administration should act, as part of Social Security reform, to ensure that widows and other poor elderly women receive more adequate benefits that reduce their poverty rates and that women, under whatever approach is taken to reform Social Security, should receive no lesser a share of overall federally-funded retirement benefits than they receive today; and

(4) the sacrifice that women make to care for their family should be recognized during reform of Social Security and that women should not be penalized by taking an average of 11.5 years out of their careers to care for their family.

AMENDMENT NO. 174

(Purpose: To continue Federal spending at the current services baseline levels and pay down the Federal debt)

Strike Titles 1 and 2 of the resolution and insert the following:

TITLE I—LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for the fiscal years 2000 through 2009:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution—

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2000: $1,401,979,000,000.
Fiscal year 2001: $1,442,647,000,000.
Fiscal year 2002: $1,508,276,000,000.
Fiscal year 2003: $1,563,318,000,000.
Fiscal year 2004: $1,634,149,000,000.
Fiscal year 2005: $1,710,896,000,000.
Fiscal year 2006: $1,790,713,000,000.
Fiscal year 2007: $1,871,400,000,000.
Fiscal year 2008: $1,956,209,000,000.
Fiscal year 2009: $2,045,710,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2000: $1,424,759,000,000.
Fiscal year 2001: $1,451,764,000,000.
Fiscal year 2002: $1,481,268,000,000.
Fiscal year 2003: $1,544,059,000,000.
Fiscal year 2004: $1,597,397,000,000.
Fiscal year 2005: $1,655,402,000,000.
Fiscal year 2006: $1,705,251,000,000.
Fiscal year 2007: $1,770,344,000,000.
Fiscal year 2008: $1,840,865,000,000.
Fiscal year 2009: $1,910,187,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2000: $1,406,584,000,000.
Fiscal year 2001: $1,431,899,000,000.
Fiscal year 2002: $1,449,260,000,000.
Fiscal year 2003: $1,512,261,000,000.
Fiscal year 2004: $1,566,600,000,000.
Fiscal year 2005: $1,631,828,000,000.
Fiscal year 2006: $1,674,724,000,000.
Fiscal year 2007: $1,737,435,000,000.
Fiscal year 2008: $1,810,214,000,000.
Fiscal year 2009: $1,880,338,000,000.

(4) DEFICITS OR SURPLUSES.—For purposes of the enforcement of this resolution, the amounts of the deficits or surpluses are as follows:

Fiscal year 2000: −$4,605,000,000.
Fiscal year 2001: $10,748,000,000.
Fiscal year 2002: $59,016,000,000.
Fiscal year 2003: $51,057,000,000.
Fiscal year 2004: $67,549,000,000.
Fiscal year 2005: $79,068,000,000.
Fiscal year 2006: $115,989,000,000.
Fiscal year 2007: $133,965,000,000.
Fiscal year 2008: $145,995,000,000.
Fiscal year 2009: $165,372,000,000.

(5) PUBLIC DEBT.—The appropriate levels of the public debt are as follows:

Fiscal year 2000: $5,637,600,000,000.
Fiscal year 2001: $5,710,300,000,000.
Fiscal year 2002: $5,739,700,000,000.
Fiscal year 2003: $5,776,200,000,000.
Fiscal year 2004: $5,792,400,000,000.
Fiscal year 2005: $5,794,100,000,000.
Fiscal year 2006: $5,755,600,000,000.
Fiscal year 2007: $5,696,200,000,000.
Fiscal year 2008: $5,615,400,000,000.
Fiscal year 2009: $5,510,500,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of the debt held by the public are as follows:

Fiscal year 2000: $3,511,700,000,000.
Fiscal year 2001: $3,371,900,000,000.
Fiscal year 2002: $3,175,600,000,000.
Fiscal year 2003: $2,979,400,000,000.
Fiscal year 2004: $2,756,200,000,000.
Fiscal year 2005: $2,507,700,000,000.
Fiscal year 2006: $2,211,700,000,000.
Fiscal year 2007: $1,886,400,000,000.
Fiscal year 2008: $1,539,800,000,000.
Fiscal year 2009: $1,168,200,000,000.

SEC. 102. SOCIAL SECURITY.

(a) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under sections 302, and 311 of the Congressional Budget Act of 1974, the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2000: $468,020,000,000.
Fiscal year 2001: $487,744,000,000.
Fiscal year 2002: $506,293,000,000.
Fiscal year 2003: $527,326,000,000.
Fiscal year 2004: $549,876,000,000.
Fiscal year 2005: $576,840,000,000.
Fiscal year 2006: $601,834,000,000.
Fiscal year 2007: $628,277,000,000.
Fiscal year 2008: $654,422,000,000.
Fiscal year 2009: $681,313,000,000.

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302, and 311 of the Congressional Budget Act of 1974, the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2000: $327,256,000,000.
Fiscal year 2001: $339,789,000,000.
Fiscal year 2002: $350,127,000,000.
Fiscal year 2003: $362,197,000,000.

Fiscal year 2004: $375,253,000,000.
Fiscal year 2005: $389,485,000,000.
Fiscal year 2006: $404,596,000,000.
Fiscal year 2007: $420,616,000,000.
Fiscal year 2008: $438,132,000,000.
Fiscal year 2009: $459,496,000,000.

SEC. 103. MAJOR FUNCTIONAL CATEGORIES.

Congress determines and declares that the appropriate levels of new budget authority, budget outlays, new direct loan obligations, and new primary loan guarantee commitments for fiscal year 2000 through 2009 for each major functional category are at the CBO March Baseline On-Budget totals for BA and outlays, committee allocations and resolution aggregates.

AMENDMENT NO. 175

(Purpose: To ensure that the substantial majority of any income tax cuts go to middle and lower income taxpayers)

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE ON TAX CUTS FOR LOWER AND MIDDLE INCOME TAXPAYERS.

It is the sense of the Senate that the levels in this resolution assume that Congress will not approve an across-the-board cut in income tax rates, or any other tax legislation, that would provide substantially more benefits to the top 10 percent of taxpayers than to the remaining 90 percent.

ADJOURNMENT UNTIL 9 A.M. TOMORROW

The PRESIDING OFFICER. If there is no further debate at this time, under the previous order, the Senate will stand adjourned until the hour of 9 a.m., Thursday, March 25, 1999.

Thereupon, the Senate, at 11:24 p.m., adjourned until Thursday, March 25, 1999, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate March 24, 1999:

THE JUDICIARY

WILLIAM HASKELL ALSUP, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA, VICE THELTON EUGENE HENDERSON, RETIRED.

J. RICH LEONARD, OF NORTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NORTH CAROLINA VICE W. EARL BRITT, RETIRED.

CARLOS MURGUIA, OF KANSAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF KANSAS, VICE SAM A. CROW, RETIRED.

MARSHA J. PECHMAN, OF WASHINGTON, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF WASHINGTON, VICE WILLIAM L. DWYER, RETIRED.

FOREIGN SERVICE

THE FOLLOWING NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES INFORMATION AGENCY FOR PROMOTION IN THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF CAREER MINISTER

BRIAN E. CARLSON, OF VIRGINIA
MARJORIE ANN RANSOM, OF THE DISTRICT OF COLUMBIA
E. ASHLEY WILLS, OF TEXAS

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER-COUNSELOR

ROBERT J. CALLAHAN, OF ILLINOIS
WILLIAM DARREL CAVNESS, JR., OF GEORGIA
JEREMY F. CURTIN, OF MARYLAND
CHRISTIAN FILOSTRAT, OF NEW YORK
HELENA KANE FINN, OF NEW YORK
LINDA JEWELL, OF NEW JERSEY
WILLIAM P. KIEHL, OF PENNSYLVANIA
BARBARA C. MOORE, OF OREGON
PAMELA H. SMITH, OF THE DISTRICT OF COLUMBIA
CORNELIUS C. WALSH, OF VIRGINIA
LEONARDO M. WILLIAMS, OF VIRGINIA

THE FOLLOWING NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF COMMERCE FOR PROMOTION IN THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF CAREER MINISTER:

DALE V. SLAGHT, OF NEW JERSEY

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER-COUNSELOR:

DAVID K. KATZ, OF CALIFORNIA
SAMUEL H. KIDDER, OF WASHINGTON

THE FOLLOWING NAMED CAREER MEMBERS OF THE FOREIGN SERVICE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE, AS INDICATED:

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

WILLIAM A. BREKKE, OF SOUTH DAKOTA
MICKEY R. FRISBY, OF OKLAHOMA
CAROL MURRAY KIM, OF VIRGINIA
AUGUST MAFFRY, OF VIRGINIA
ALAN R. TURLEY, OF CONNECTICUT
ERIC R. WEAVER, OF VIRGINIA

CONFIRMATIONS

Executive nominations confirmed by the Senate March 24, 1999:

DEPARTMENT OF STATE

WILLIAM LACY SWING, OF NORTH CAROLINA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE DEMOCRATIC REPUBLIC OF THE CONGO.

ROBERT A. SEIPLE, OF WASHINGTON, TO BE AMBASSADOR AT LARGE FOR INTERNATIONAL RELIGIOUS FREEDOM.

THE FOLLOWING NAMED CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, FOR THE PERSONAL RANK OF CAREER AMBASSADOR IN RECOGNITION OF ESPECIALLY DISTINGUISHED SERVICE OVER A SUSTAINED PERIOD:

MARY A. RYAN, OF TEXAS

THE FOLLOWING NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF AGRICULTURE FOR PROMOTION IN THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF CAREER MINISTER:

WARREN J. CHILD, OF MARYLAND

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER-COUNSELOR:

MARY E. REVELT, OF FLORIDA
JOHN H. WYSS, OF TEXAS

THE FOLLOWING NAMED CAREER MEMBERS OF THE FOREIGN SERVICE OF THE DEPARTMENT OF AGRICULTURE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED:

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

WEYLAND M. BEEGHLY, OF VIRGINIA
LARRY M. SENGER, OF WASHINGTON
RANDOLPH H. ZEITNER, OF VIRGINIA

THE FOLLOWING NAMED CAREER MEMBER OF THE FOREIGN SERVICE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE, AND FOR APPOINTMENT AS CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE, AS INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSEL:

DANNY J. SHEESLEY, OF VIRGINIA.