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Senate

The Senate met at 11:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The PRESIDENT pro tempore. The Senate will come to order. The Chaplain will now deliver the opening prayer.

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

Almighty God, we praise You for Your grace and goodness. You will what is best for us as individuals and as a nation. You desire to bless us with the wisdom and discernment we need to solve our Nation's problems. And yet, we have learned that You wait for us to ask for Your help. By Your providence You have placed the Senators in positions of great authority not just because of their human abilities, but because they are willing to seek and follow Your guidance. Together, with one mind and heart, we intercede for one another across party lines and ideological differences. We know that if we trust You, You will be on time and in time to help us with crucial discussions and decisions today. Give us the courage to put the needs of the Nation first above political advantage. You have promised that if we pray with complete trust in You, You will intervene to answer our prayers. In the name of the Way, the Truth, and the Life. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader is recognized.

SCHEDULE

Mr. HUTCHINSON. Mr. President, this morning, the Senate will be in a period of morning business until 1 p.m. Following morning business, the Senate expects to begin consideration of S. 767, the uniformed services tax filing fairness bill. Passage of that bill is expected, and it will then be the leader's intention to begin consideration of the budget resolution conference report. There are 10 hours for debate on the conference report, but it is hoped that a significant portion of that time will be yielded back. Therefore, Members should expect rollcall votes throughout today's session of the Senate.

I thank my colleagues for their attention.

Mr. President, I note the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk (Kathleen Alvarez Tritak) proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period of morning business not to extend beyond 1 p.m., with Senators permitted to speak up to 10 minutes each, with the following exceptions: Senator BROWNBACK, 20 minutes; Senator BAYH, 10 minutes; Senators DOMENICI and WELLSTONE, 15 minutes total; Senator LEAHY, 15 minutes; and Senator CLELAND, 15 minutes.

The Senator from Vermont is recognized.

KOSOVO

Mr. LEAHY. Mr. President, not very long ago it would have been difficult to find anyone in this country who had heard of Kosovo, that part of the former Yugoslavia which is today engulfed in a humanitarian calamity and where NATO is conducting the first combat operation in its 50 year history.

During the past three weeks we have watched the catastrophe in Kosovo unfold. Over 600,000 Kosovar-Albanians have fled their homes or been herded onto trains with little more than the shirts on their backs, simply because of their ethnicity and because they are Muslim.

Today they are struggling to survive in the mud and squalor of camps in Macedonia and Albania, or in third countries. Families have been torn apart. Men and boys have been taken away and their fate is unknown. Women and girls have been raped. Children have been lost or abandoned.

Another 200–500,000 people are said to be displaced inside Kovoso, with little access to food or medicine. Luckily it is not winter, but it is still a humanitarian disaster on a scale not seen in Europe for half a century.

I supported NATO's decision to attack Serbian President Milosevic's forces.

We could debate how we got to this point, about the way the negotiations were handled at Rambouillet and whether he might have refrained from invading Kosovo had the diplomacy been conducted differently.

Legitimate questions have been asked about whether the ultimatum put to the Serbs at Rambouillet, which would have led to the partition of their country, was realistic or sustainable. Many knowledgeable people have argued that administration officials did not fully understand the history of the former Yugoslavia or the importance of Kosovo to the Serbs, that they seriously underestimated Milosevic, took a bad situation and have made it worse.

We could also ask whether our relations with Russia, which have been badly damaged in recent weeks, could

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

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have been managed better, and what role the Russians should be encouraged to play in helping to resolve this crisis.

But after the collapse of the Rambouillet talks, and after Milosevic had ignored dozens of United Nations resolutions, violated every agreement he had signed, continued to slaughter innocent Kosovar-Albanians and amassed tens of thousands of troops and armor on the Kosovo-Serbia border—and there apparently is evidence that Milosevic planned the expulsion of ethnic Albanians well before the NATO bombing began—we had but two choices:

Do nothing as Milosevic's forces rolled through Kosovo while savagely beating or executing and burning the homes of every man, woman and child who refused his ''ethnic cleansing''; or try to deter him with force. I favored the latter.

Like so many others who hoped that Milosevic would accept autonomy for Kosovo secured by an international peacekeeping force, I have seen my worst fears realized.

The NATO air attacks have damaged Serbia's military infrastructure, but they have failed to achieve their primary goal: preventing the ethnic cleansing of Kosovo.

Milosevic's forces have swept through Kosovo burning whole villages, brutalizing and killing civilians, leaving nothing in their wake and forcing hundreds of thousands of people to flee. It may not be on the scale of Nazi Germany, but it is certainly reminiscent of those days.

Mr. President, not many people would have anticipated the magnitude of the catastrophe that has befallen Kosovo today. But many people predicted that Milosevic would fight to hold on to Kosovo, and many doubted that air power alone would stop him.

I favored the use of force. But, like many others, I have been disappointed by the way this air campaign has been carried out.

We probably could not have stopped Milosevic's forces from invading Kosovo after the Rambouillet talks collapsed. Forty thousand of his soldiers, with tanks, were poised on the border ready to invade.

But I certainly expected that we would hit him with enough firepower so that among the first targets bombed would be those Serbian forces. Instead, they encountered almost no resistance as they emptied Kosovo of its inhabitants, destroyed their homes, and achieved complete control over Kosovo in a matter of days—the very result we had sought to prevent.

Now his soldiers are hiding in the villages and rugged terrain of Kosovo, and we are facing the far more difficult, dangerous and costly challenge of forcing them to withdraw and creating a safe environment for the refugees to return and rebuild their lives.

Despite claims by NATO and Pentagon officials that they predicted everything, the United States and the rest of NATO were clearly unprepared for the debacle that has unfolded. I suspect historians may not look kindly on the Administration officials who did not have a contingency plan if Milosevic refused to back down after a few days or weeks of NATO bombing, who seem to have no strategy except more bombing, and who apparently selected their targets by committee.

The fact that NATO leaders have been scrambling to get more aircraft to Kosovo, and that we are told that it will take weeks to put a few Apache helicopters into service there, is perhaps the best evidence of this.

Having said that, we should not lose sight of the reasons we are in Kosovo. Had it not been for the Secretary of State, I doubt that anyone in the Administration would have argued as passionately for using force to try to prevent crimes against humanity.

I applaud her for it, because I believe that today, in the year of the 50th anniversary of the Geneva Conventions, NATO could not have turned its back on the ethnic cleansing of thousands of defenseless people in the heart of Europe.

The alternative was to give a green light to Milosevic and other would-be Milosevic's, and to severely curtail NATO's future role as an enforcer of international humanitarian law in Europe.

Some have suggested that because we did not act to prevent the slaughter in Rwanda, or in Sierra Leone, or Sudan, or any number of other places, that NATO should not intervene here.

I disagree. In fact, I believe that we and our allies in and outside of Africa should have tried to protect the innocent in Rwanda, where half a million people, in the span of only three months, were murdered because of their ethnicity.

If we have learned anything from that experience and others, it is that by not acting, by allowing genocide to occur, we diminish ourselves and we invite similar atrocities elsewhere.

Others have opposed our involvement in Kosovo on the grounds that we risk becoming bogged down in another Vietnam. As one who in 1974 cast a deciding vote against the Vietnam war, I am sympathetic to those concerns.

But we and our NATO allies have been at war in Kosovo for a total of three weeks. For the first four years of the Vietnam War, our Government's policy was strongly supported by the Congress and the American people. It was only when the Pentagon's credibility was shattered by the 1968 Tet offensive, and it became clear that the war could not be won, that the country turned against the war.

It is also interesting that some of the most vocal opponents of NATO's use of force in Kosovo are the very Members of Congress who strongly supported our involvement in Vietnam.

Some of them have argued that since the Serbian people have rallied behind President Milosevic we should recognize that our policy is not working and find a way out. The reaction of the Serbian people is very troubling, but it is a predictable consequence of war and Milosevic's tight control of the press. We saw the same thing in Iraq, despite Saddam Hussein's brutal repression of his own people.

One does not have to equate Milosevic with Hitler. But let us not forget that millions of Germans supported Adolf Hitler. That was hardly a reason not to fight him.

And contrary to the lies of Serbian officials that the ethnic Albanians who were rounded up and forced to flee were only trying to escape the NATO bombing, the refugees, many of whom saw their relatives murdered, see NATO as their only hope.

The facts are:

Whether or not we believe that diplomacy handled differently might have achieved a different result;

Whether or not the NATO military campaign should have been conducted differently once the decision to use force was made;

Whether or not the President should have publicly ruled out the use of ground forces;

Whether one likes it or not—we need to recognize the unavoidable fact of which the senior Senator from Arizona, Senator MCCAIN, has so consistently reminded us: Our country is the leader of NATO and NATO is fighting a war. Now that we are in it we need to win it. If we fail we will all be the losers.

This is not the time to debate what might have been or to obfuscate or to hedge one's bets. It is a time to stand up as a country united behind the President, the Secretary of State, the Pentagon, our soldiers and our NATO allies in support of a cause that is just, and a cause that will determine the credibility, effectiveness, and future mission of NATO.

Let us remember. It is President Milosevic who is destroying the lives of the people of Kosovo, the very people whom he claims to represent. It is he who has driven them from their homes. It is his forces who are killing, raping and pillaging. It is his forces who are laying landmines where refugees are fleeing.

And let us remember that this is not the first time President Milosevic has laid waste to an entire country. In Bosnia his troops murdered thousands and buried them in mass graves, and uprooted hundreds of thousands, again because of their ethnicity.

We should all be concerned by the damage the NATO military campaign has caused to our relations with Russia.

I am told that the Russian people are united in their anger at the United States like never before since the end of the Cold War.

They have seen their country transformed from a superpower to a crippled giant. They felt that NATO's expansion was unnecessary and an attempt to gain advantage over Russia. They see

the air attacks against Serbia as one more example of the unchecked misuse of American power.

I am told that our policy has only strengthened the hard-liners in Russia.

I am disturbed by the photographs of Russian Prime Minister Primakov coddling President Milosevic. We have also heard threatening statements by President Yeltsin and other Russian officials, opposing the NATO air strikes and intimating that Russia might act militarily to defend its interests in the Balkans.

No one can deny the overriding importance of our relations with Russia and the need to find a way for Russia to join with us in trying to resolve this crisis. Perhaps that includes a major role for Russian soldiers in any international security force in Kosovo.

But the fact remains that it would be foolhardy for Russia to become militarily involved in Kosovo. The NATO attacks against Milosevic are not in any way directed at Russia. All of NATO's members are collectively standing up against genocide in Europe. Russia's long-term economic and security interests are clearly better served by joining with the United States and Europe, rather than casting its lot with the likes of Milosevic.

We must also reflect on the reaction of the people of Serbia and Montenegro. For years our policy has failed to account for the complexities of the history of the Balkans, and we are paying a price for that today.

We have a tendency to oversimplify and over-personalize our foreign policy, to forget that in the past the Serbian people have suffered, too. But while we know that they also have been victimized by President Milosevic, we cannot excuse them for rallying to his defense when all of Europe is united against everything he represents.

Mr. President, there has been a great deal of talk, both pro and con, about the deployment of American soldiers as part of a NATO ground force, in Kosovo.

As much as I hope that ground troops are not necessary, I felt it was unwise to rule them out because I believe it only emboldened President Milosevic.

I also know of no one who thinks this mission can be accomplished by air power alone, and the administration needs a more realistic strategy. We need policy based on solid plans—not policy based on polls.

Again, I think we should heed the advice of Senator MCCAIN. What are our goals—NATO's goals—today? In my mind, it is to force Milosevic to agree to a ceasefire, the withdrawal of his forces from Kosovo, the safe return of the refugees secured by an international force, and autonomy for Kosovo.

If we can prove the experts wrong and accomplish that with air power alone, so much the better.

But if we cannot, if ground troops are necessary to achieve our goals, we must use them, and NATO should be making preparations for the possibility that they will be needed. The bulk of those forces should come from Europe, but as the leader of NATO we would have a responsibility to contribute our share.

To those who complain that Kosovo is not worth the life of a single American soldier, I would say this: As Americans we cherish the life of every American soldier, and we give our armed forces the best available training and technology to defend themselves. Military missions always involve danger. In this mission, an enormous amount is at stake for our country, for NATO, for the people of Kosovo, and for humanity.

What is the alternative? To give in to ethnic cleansing after taking a principled stand against it? That would be a terrible defeat for NATO, and for the cause of international justice and security. It would be a terrible precedent for us to bequeath to the generations that will follow us in the next century.

No one can predict how long this war will last, or how it will end. Let us hope that President Milosevic soon recognizes that he risks losing everything.

In the meantime, we owe our gratitude and our support to our soldiers, and to the humanitarian relief organizations that are providing emergency food, shelter and medical assistance to the refugees.

They have been heroic.

Mr. President, I am also concerned about a disturbing report I received this morning that United States forces have used landmines against the Serbs.

I am told that these are anti-tank mines, but they are mixed with anti-personnel mines, which are prohibited under an international treaty which unfortunately the United States has not signed.

However, every one of our NATO allies except for Turkey is a party to that treaty, and I wonder if they are aware of this since our planes are using airfields located in those countries.

In fact, at last count 135 nations had signed the treaty, and 71 have ratified. The United States should be among them.

Nobody would argue that the United States is bound by a treaty it has not ratified. But it is very disappointing that at the same time that the Administration is holding itself out as a leader in the worldwide effort to ban landmines, it is using mines itself.

Mr. President, I have asked the Pentagon to confirm whether or not this report is true. I hope it is not.

But if it is true, it is only a matter of time before innocent people are maimed or killed by these weapons.

It sends the wrong message to the rest of the world. And frankly, while I support the Administration's use of force against Milosevic I do not know anyone who believes we need landmines to achieve our goals. It is unnecessary, it is wrong, and it will only further erode the Administration's credibility on an issue that cries out for the United States to set the example.

Mr. President, I am hoping this report is not true. But we will find out because if it is, we should stop using them. It is a disturbing thing that we would be so different from the rest of our allies.

UNANIMOUS-CONSENT AGREEMENT

Mr. WELLSTONE. Mr. President, I ask unanimous consent that Senator SPECTER, who will be coming back here—I promised him I would do this for him—be allowed to speak for up to 15 minutes in morning business.

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

Mr. BAYH addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana is recognized.

Mr. BAYH. Mr. President, I, first, want to express my great respect for my colleague from Vermont, a man with whom I not only have the pleasure of serving, but he served with my father. The respect the Bayh family has for the Senator goes from generation to generation. It is a privilege to be on the floor with the Senator from Vermont.

COMMENDING PURDUE UNIVERSITY WOMEN'S BASKETBALL TEAM

Mr. BAYH. Mr. President, I send a resolution to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 76) commending the Purdue University women's basketball team on winning the 1999 National Collegiate Athletic Association women's basketball championship.

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

Mr. BAYH. Mr. President, I rise today to speak not only on my own behalf but on behalf of my senior colleague, DICK LUGAR, who, unfortunately, could not be with us at the last moment. I know he will be submitting his own remarks on behalf of the Lady Boilermakers and their outstanding victory in the NCAA women's basketball tournament this year. I know the rules prohibit me from pointing anybody out in the galleries, but I want to say how much I appreciate the presence of several constituents today; in particular, the mayor of West Lafayette, IN, several officials representing Purdue University, and several of our distinguished citizens from Lafayette, Tippecanoe County, and elsewhere across our State.

Mr. President, basketball is perhaps synonymous with the State of Indiana, not only because we love to play the game, not only because we believe in physical fitness, but because of the character, the determination, and the other fine attributes associated with that sport that are necessary for success in it.

This year's Purdue women's basketball team, perhaps better than any other, exhibits those character traits. They are an example of Indiana at its finest and the United States of America at its finest. So I rise today to salute them both as individuals and as a team for their accomplishments.

Mr. President, this team was an example of near perfection. Their record was an outstanding 34 victories and only 1 defeat. They are the first women's championship team representing any Big Ten university in any sport. Their coach, Carolyn Peck, an outstanding individual, is not only the youngest coach to lead a winning team to the NCAA tournament, but she is also the first African American one to do it. One of their star players, Stephanie White-McCarty, is not only a first-team athletic all-American, but also an academic all-American. As a matter of fact, Mr. President, she represents the rest of the team very well in that regard.

The team, as a whole, had a combined grade point average of 3.0, which is very good by today's standards, particularly with regard to the athletic community.

Mr. President, once again, I salute the Lady Boilermakers for their outstanding contributions not only on the basketball court, but because of the outstanding individuals they are.

Mr. LUGAR. Mr. President, I rise today to join with my colleague from Indiana as a cosponsor of this Senate resolution commending the Purdue University women's basketball team on winning the 1999 National Collegiate Athletic Association (NCAA) basketball championship.

The Lady Boilermakers this year have made Indiana history in becoming the first women's sport to bring home a national championship title for Purdue University. They are also the first women's basketball team in the Big Ten Athletic Conference to win the NCAA title.

This resolution is a fitting tribute and a deserving honor for Coach Carolyn Peck and the team members who persevered throughout the long season and the playoffs to win the national title. Their commitment and dedication to this tremendous effort is demonstrated by their winning record of 34 games—including a string of 32 consecutive victories. Throughout this storied season, the Lady Boilers' skill and dedication was matched only by the grace and dignity with which they carried themselves as a team en route to the national title.

For departing seniors Ukari Figgs and Stephanie White-McCarty, this victory is truly special as they complete their studies at Purdue and look toward the future. Winning the NCAA title is an historic and special occasion—placing this team among a select company of national champions. Their triumph will be remembered at Purdue and throughout our State for years to come.

The dedication and sportsmanship demonstrated throughout the season by the Lady Boilers reaffirm our strong basketball tradition in Indiana. The team's competitive spirit and commitment to excellence make them deserving recipients of the accolades of the nation and the honor of this special Senate resolution.

Mr. BAYH. Mr. President, I ask unanimous consent that the resolution and preamble be agreed to en bloc and that the motion to reconsider be laid upon the table, without intervening action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The resolution (S. Res. 76) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 76

Whereas the Purdue University Lady Boilermakers (Lady Boilers) won their first National Championship in the National Collegiate Athletic Association women's basketball tournament on March 28, 1999;

Whereas the Lady Boilers finished the 1998-99 season with an outstanding record, winning 34 games, including 32 consecutive victories;

Whereas the Lady Boilers proudly brought Purdue University its first ever NCAA championship in any women's sport, and did so with skill matched by grace and dignity;

Whereas the Lady Boilers claimed the first ever NCAA women's basketball championship by any member of the Big Ten Athletic Conference; and

Whereas the Lady Boilers have brought great pride and distinction to the State of Indiana: Now, therefore, be it

Resolved, That the Senate commends the Purdue University Lady Boilers basketball team for winning the National Collegiate Athletic Association women's basketball national championship.

Mr. BAYH. Mr. President, I yield the floor, and 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. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. LEAHY. Mr. President, I ask unanimous consent to proceed for 6 minutes.

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

THE SENATE'S CONTINUING FAILURE TO ACT ON JUDICIAL NOMINATIONS

Mr. LEAHY. Mr. President, baseball season began earlier this month and already the Senate is lagging behind the home run pace of Mark McGwire. Last summer I began comparing the Senate's lack of progress on judicial nominations with home run pace of McGwire and other major leaguers. I had tried everything else I could think of: I had lectured the Republican majority about the Senate's duty to the judicial branch under the Constitution, I had cited the caseloads and backlogs in many courts around the country, I had introduced legislation to prevent the Senate from going on vacation while the Second Circuit was experiencing an unprecedented emergency declared by Chief Judge Winter in the face of five vacancies out of 12 authorized members of the court.

I recently attended an historic meeting of the Baltimore Orioles major league baseball team and the Cuban team in Havana. During the Easter recess the Nation's Capital witnessed exhibition baseball between the Montreal Expos and the St. Louis Cardinals and got to see Big Mac in person. Maybe another baseball comparison can inspire the Senate into action on Federal judges this year.

It is already mid-April and the Senate has yet to act on a single judicial nominee. Worse yet the Senate Judiciary Committee has yet to hold or even schedule a confirmation hearing. At this rate, I will have to start comparing the Senate's pace for the confirmation of Federal judges to the home run pace of American League pitchers. Since they do not bat, the Senate has a chance of keeping up with them.

Of course, last year the Senate had gotten off to an early lead on Mark McGwire. Last January through the end of April, the Senate had confirmed 22 judges. By the All Star break last July, the Senate had confirmed 33 judges. It took Big Mac 10 weeks to catch and pass the Senate last year.

This year, McGwire passed the Senate's total on opening day. That is because this year the Senate has yet to confirm a single Federal judge. That is right: In spite of the 33 judicial nominations now pending, in spite of the fact that at least a dozen of those nominees have been pending before the Senate for more than 9 months, in spite of the fact that four of those nominations were favorably reported by the Senate Judiciary Committee and were on the Senate calendar last year, in spite of the 67 vacancies including 28 judicial emergency vacancies, the Senate has yet to confirm a single Federal judge all year. Incredibly Mark McGwire is still on pace with what he accomplished last year. Regrettably, the Senate is not on even or on a slower pace than it was last year; it has no pace at all.

By the end of last year, the Senate finally picked up its pace and confirmed 65 Federal judges—the highest total since the Republican majority took control of the Senate. That was 65 of the 91 nominations received for the 115 vacancies the Federal judiciary experienced last year. Together with the 36 judges confirmed in 1997, the total number of article III Federal judges confirmed during the last Congress was a 2-year total of 101—the same total that was confirmed in 1 year when

Democrats last made up the majority of the Senate in 1994. Of course, the Senate fell short of the record-setting 70 home run total of Mark McGwire and 66 homers hit by Sammy Sosa.

The Judicial Conference of the United States has recommended that Congress authorize an additional 69 judgeships besides, in order for the Federal courts to have the judicial resources they need to do the justice. These are in addition to the 67 current vacancies. That means that the Federal courts need the equivalent of 136 more judges. I cannot remember a time when the resource needs of the Federal courts were so neglected by the Congress.

During the four years that the Republican majority has controlled the Senate, it has barely kept up with attrition when it comes to judicial vacancies. Even with the confirmations achieved last year, the current vacancies number as many as existed at the time the Senate recessed in 1994. The Senate has not made the progress it should have in filling the longstanding vacancies that continue to plague the Federal judiciary. The Chief Justice of the U.S. Supreme Court and others continue to speak of the problem of too few judges and too much work. In 1997 the Chief Justice noted: ''Vacancies cannot remain at such high levels indefinitely without eroding the quality of justice that traditionally has been associated with the federal judiciary.''

Both the Second Circuit and the Ninth Circuit have had to cancel hearings over the past couple of years due to judicial vacancies. The Second Circuit has had to declare a circuit emergency and to proceed with only one circuit judge on their three-judge panels.

The New York Times ran a front-page story recently on how the crushing workload in the Federal appellate courts has lead to what the Times called a ''two-tier system'' for appeals. In testimony and statements over the last few years, I have seen Chief Judge Winter and former Chief Judge Newman of the Second Circuit, Chief Judge Hug and Judge Trott of the Ninth Circuit and Chief Judge Hatchett of the Eleventh Circuit all warn of the problem of too few judges and too much work. I deeply regret that these twin problems have combined to lead to the perception that the Federal appellate courts can no longer provide the same attention to individual cases that has marked the Federal administration of justice in the past.

Appellate courts have had to forgo oral argument in more and more cases. Litigants are being denied any opportunity to see the judges who are deciding their causes. Law clerks and attorney staff are being used more and more extensively in the determination of cases as backlogs grow. As caseloads grow, bureaucratic imperatives seem to be replacing the administration of justice. These are not the ways to engender confidence in our system of justice, acceptance of the judicial process, support for the decisions being rendered or respect for courts. Congress needs to support the judicial branch with the judges and other resources it needs.

Instead of sustained effort by the Senate to close the judicial vacancies gap, we have seen extensive delays continue and unexplained and anonymous ''holds'' become regular order.

The only thing the Judiciary Committee does not ''hold'' any more is judicial confirmation hearings. I recall in 1994—the most recent year in which the Democrats constituted the majority—when the Judiciary Committee held 25 judicial confirmation hearings, including hearings to confirm a Supreme Court Justice. By April 15, 1994, we had held 5 hearings involving 21 nominees, and the Committee had reported 18 nominations. Even last year, the Committee had held four confirmation hearings by this time. This year the Committee has not held a single hearing on a single judicial nomination.

The Senate continues to tolerate upwards of 67 vacancies in the Federal courts with more on the horizon—almost one in 13 judgeships remains unfilled and, from the looks of things, will remain unfilled into the future. The Judiciary Committee needs to do a better job and the Senate needs to proceed more promptly to consider nominees reported to it.

We made some progress last year, but if last year is to represent real progress and a change from the destructive politics of the two preceding years in which the Republican Senate confirmed only 17 and 36 judges, we need to better last year's results this year. The Senate needs to consider judicial nominations promptly and to confirm without additional delay the many fine men and women President Clinton is sending us.

Already this year the Senate has received 33 judicial nominations. I am confident that many more are following in the days and weeks ahead. Unfortunately, past delays mean that 28 of the current vacancies, over 40 percent, are already judicial emergency vacancies, having been empty for more than 18 months. A dozen of the nominations now pending had been received in years past. Ten are for judicial emergency vacancies. The nomination of Judge Paez to the Ninth Circuit dates back over 3 years to January 1996.

In his 1998 Year-End Report of the Federal Judiciary, Chief Justice Rehnquist noted: ''The number of cases brought to the federal courts is one of the most serious problems facing them today.'' Criminal cases rose 15 percent in 1998, alone. Yet the Republican Congress has for the past several years simply refused to consider the authorization of the additional judges requested by the Judicial Conference.

In 1984 and in 1990, Congress did respond to requests for needed judicial resources by the Judicial Conference. Indeed, in 1990, a Democratic majority in the Congress created judgeships during a Republican presidential administration.

In 1997, the Judicial Conference of the United States requested that an additional 53 judgeships be authorized around the country. This year that request has risen to 69 additional judgeships.

In order to understand the impact of judicial vacancies, we need only recall that more and more of the vacancies are judicial emergencies that have been left vacant for longer periods of time. Last year the Senate adjourned with 15 nominations for judicial emergency vacancies left pending without action. Ten of the nominations received already this year are for judicial emergency vacancies.

In his 1997 Year-End Report, Chief Justice Rehnquist noted the vacancy crisis and the persistence of scores of judicial emergency vacancies and observed: ''Some current nominees have been waiting a considerable time for a Senate Judiciary Committee vote or a final floor vote.'' He went on to note: ''The Senate is surely under no obligation to confirm any particular nominee, but after the necessary time for inquiry it should vote him up or vote him down.''

During the entire 4 years of the Bush administration there were only three judicial nominations that were pending before the Senate for as long as 9 months before being confirmed and none took as long as a year. In 1997 alone there were 10 judicial nominations that took more than 9 months before a final favorably vote and 9 of those 10 extended over a year to a year and one-half. In 1998 another 10 confirmations extended over 9 months: Professor Fletcher's confirmation took 41 months—the longest-pending judicial nomination in the history of the United States—Hilda Tagle's confirmation took 32 months, Susan Oki Mollway's confirmation took 30 months, Ann Aiken's confirmation took 26 months, Margaret McKeown's confirmation took 24 months, Margaret Morrow's confirmation took 21 months, Judge Sonia Sotomayor's confirmation took 15 months, Rebecca Pallmeyer's confirmation took 14 months, Dan Polster's confirmation took 12 months, and Victoria Roberts' confirmation took 11 months.

I calculate that the average number of days for those few lucky nominees who are finally confirmed is continuing to escalate. In 1996, the Republican Senate shattered the record for the average number of days from nomination to confirmation for judicial confirmation. The average rose to a record 183 days. In 1997, the average number of days from nomination to confirmation rose dramatically yet again. From initial nomination to confirmation, the average time it took for Senate action on the 36 judges confirmed in 1997 broke the 200-day barrier for the first time in our history. It was 212 days.

Unfortunately, that time is still growing and the average is still rising to the detriment of the administration

of justice. Last year, in 1998, the Senate broke the record, again. The average time from nomination to confirmation for the 65 judges confirmed in 1998 was over 230 days. At each step of the process, judicial nominations are being delayed. Prime examples are Judge Richard Paez, Justice Ronnie L. White, and Marsha Berzon, who have each had to be renominated again this year.

I again urge the Senate to take seriously its responsibilities and help the President fill the longstanding vacancies in the Federal courts around the country. Today the score is running against the prompt and fair administration of justice—vacancies 67, nominations 33, confirmations zero.

In conclusion, last year I talked about judicial nominations and Mark McGwire. I talked about how well Mark McGwire had been doing. I compared his home run numbers, and that he was going along a lot faster than our judicial nominations. And I may do a little bit of that this year, as well.

But I put a little magnifying glass up here to the chart. Here are the number of vacancies of Federal judges. Of course, a person can become a Federal judge only after a nomination and confirmation by the Senate.

Here are the vacancies—67. I put a magnifying glass on the chart so everybody can see how many we have confirmed. Zero. Diddle squat. That is all we have done—no confirmations whatsoever. In fact, I don't think we have even had a hearing. We are now in the fourth month of the year and about to go into the fifth month. I don't think in my 25 years here we have ever gone this long, especially in the middle of a President's term, without even having any hearings.

Mark McGwire is ahead of us in home runs, both on confirmations and on nomination hearings. Last year we got a little bit ahead of him, at least until the baseball season began. We had confirmed by the time of the All-Star break in July something like 33 judges. It took Mark McGwire almost 10 weeks to catch up and pass us last year. This time he passed us on the very first day he goes out to bat. The very first day that he is playing he beats us.

I have heard it said that we can't confirm nominees that we don't have. We have 33 nominees up here right now. They are here sitting before the Senate. Some have already had hearings last year, and they just sit there and sit there, and we don't vote on them. We don't confirm them.

Look at how we have done in the past. Let's go a little backward. In 1994, we confirmed 101. In 1999, we only confirmed 65. Mark McGwire hit 70 home runs.

I think we will talk a little more about this as we go along. We have also had a problem with the time between nomination and confirmation. Again, it doesn't answer the question to say we can't confirm people if they are not nominated. In fact, they are nominated, and they still don't get confirmed and those that do are taking longer every year. In 1993, it took the average time of 59 days to get them confirmed. Now it takes 232 days. I know of people who have declined appointments to the Federal bench. Why? Because they can't get confirmed at all or confirmed in a reasonable time.

So the bottom line, Mr. President, is here we are with 67 vacancies and zero confirmations. And I am willing to bet that, at the rate we are going, Mark McGwire is going to be way ahead of us all year long.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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

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

Mr. KERRY. Mr. President, I understand we are in morning business; is that correct?

The PRESIDING OFFICER. We are. We are in morning business until 1 p.m.

Mr. KERRY. May I inquire, what is the order at 1 p.m.?

The PRESIDING OFFICER. There is no specific business pending.

Mr. KERRY. Mr. President, I ask unanimous consent that I be permitted to proceed in morning business until I complete my statement.

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

Mr. KERRY. I thank the Chair.

(The remarks of Mr. KERRY, Mr. LEVIN and Mr. KENNEDY pertaining to the introduction of S. 791 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. KERRY. I thank the Chair and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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

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

UNANIMOUS CONSENT REQUEST—S. 767

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 90, S. 767, under the following limitations: 1 hour of debate on the bill, equally divided in the usual form; the only amendment in order to be a substitute amendment to be offered by myself and others; no other amendments or motions in order to the bill; and at the conclusion of the time and the disposition of the amendment, the bill be read a third time and the Senate proceed to a vote on the bill with no other intervening action or debate.

I further ask consent that when the Senate receives from the House the companion measure and it is the exact text of the Senate-passed measure, then the House bill be considered read a third time and passed.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. COVERDELL. Mr. President, I am disappointed that we would have an objection to a measure that has already, in a sense, been initiated by the President and deals with amelioration and comfort to the troops—our sons and daughters that are in harm's way today, as we have all been highly focused on Kosovo. This sends a very positive message—and it has been broadly agreed to—to their families and to the fighting men and women, and it is a shame that we have to get balled up at a time like this when we are under such duress.

Mr. REID. Mr. President, I say to my friend from Georgia that this is important legislation. It has bipartisan support and we should move forward with the legislation. There is nothing that indicates that anybody is going to prolong this debate unnecessarily. We simply think it is appropriate that this legislation be handled in the manner that legislation has been handled in this body for many years—in fact, a couple centuries.

We understand that we are going to help the fighting men and women of our country, and it is certainly appropriate to do it around tax time because that is what this matter relates to, the tax burdens that face some of our people. There will be a delay, for example, as to when they have to file their returns. We are willing to do that, but we are not willing to enter into a restrictive agreement that just allows the manager to submit an amendment and no one else. We are ready to move forward on this legislation. We should be debating it now. We could go forward with the legislation this very minute and have this wrapped up in a matter of a few hours.

Mr. COVERDELL. Mr. President, I thank my good colleague from Nevada. I want to elaborate.

The reason is not to facilitate my own amendments. It is to facilitate the issue for which, as he has acknowledged, there is broad agreement. I think that the thinking here was that this very simple proposal which would help our fighting men and women, for which there is broad agreement, could be handled and moved forward. It is very clear that a Member on your side of the aisle, who is purporting to want to amend it, is talking about something that would be very controversial and would entangle the simple proposal that could be an immediate gesture to our fighting men and women, to which the whole Congress has agreed. The

House passed it unanimously yesterday. I just reiterate that this is a needless delay on something that is designed for our fighting men and women, no matter how you look at it.

Mr. REID. Mr. President, the needless delay is taking time here and being enmeshed in procedural matters that need not be enmeshed. I was asked to listen to a unanimous consent proposal that was advocated and propounded by my friend from Georgia. It is something that we believe is inappropriate. This legislation is going to pass and it is going to pass quickly. I think it will pass with relatively no opposition. The sooner we get to the merits of this legislation, the better off we will be.

I think it would not be untoward to allow a Member on that side or this side to offer an amendment. If the amendment is no good, and understanding the underlying importance of this legislation, it will either be defeated or the person will withdraw it. But there may be ways of improving this bill, ways that we can help the fighting men and women of our country in a manner different than is set forth in this legislation. I say to my friend, let's move forward with the legislation. It is now 1:25. I think this legislation could be passed by 4 o'clock with no trouble at all. So I hope we can move just as quickly as possible. This is important legislation for the people that are over in harm's way. We want to assist them in any way that we can.

Mr. COVERDELL. Mr. President, let me simply say, I think my friend is correct. I think we can pass this in 5 minutes. But it isn't going to be passed because of the proposal that is being propounded. It has been vetted on both sides. As he said, there is broad agreement on this. Anything that would improve it would have been accepted. You are talking about another debate completely out of context with the benefits proposed in here. Those proposals are highly controversial. So these soldiers and sailors are being held hostage for that view. I think that is inappropriate.

I yield the floor.

Mr. REID. Mr. President, the underlying bill is a pretty good bill, but it is not perfect. I think we should have the opportunity to take a look at it. Too often around here there is a group of people that get together and they agree on a piece of legislation which they think is miraculous and will solve all the problems of a certain issue. There are 100 Members of the Senate, and five or six people get together and bring it to the floor, and the procedure we follow too often is if anybody wants to debate it, they are considered obstructionists, people who don't believe in the underlying issue.

Let me repeat, Mr. President, that we on this side of the aisle believe in the underlying issue here. We want to provide tax relief for our fighting men and women, the soldiers, sailors and airmen who have given so much to this country in the last month. We also think that the legislation should be seen in the light of day. There are 95 other Members in the Senate that should have the opportunity to review this legislation. We are saying on this side, let's give them an opportunity; let's let those people who haven't been in on this so-called deal to bring this legislation up. Let them also take a look at this legislation. There may or may not be amendments offered, but there is going to be nothing done. We will prevent this bill from passing.

Mr. COVERDELL. Mr. President, I yield the floor.

Mr. BRYAN. Mr. President, I ask unanimous consent that I be permitted to speak as in morning business for a period of 12 minutes.

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

NUCLEAR WASTE

Mr. BRYAN. Mr. President, in the House Commerce Committee today, the Subcommittee on Energy and Power took the first step in what is fast becoming a futile ritual here in Congress.

The subcommittee reported to the full committee a revised version of H.R. 45—the latest in a long string of legislative efforts to single the State of Nevada out as the dumping ground for the nuclear power industry's toxic high-level waste.

The bill approved by the subcommittee today consists of a now familiar assault on the environment and the health and safety of millions of Americans, both in Nevada and along transportation routes throughout the Nation.

It requires the expenditure of billions of taxpayer dollars on a completely unnecessary and misguided ''interim storage'' facility in Nevada.

It makes a mockery of the National Environmental Policy Act process, and preempts every local, State, and Federal statute or regulation that interferes with the nuclear power industry's crusade to move high-level waste to Nevada, no matter what the costs or consequences may be.

The bill is an unprecedented power grab by the nuclear power industry, trampling on the most fundamental states' rights.

The bill overrides years of work by the Environmental Protection Agency in establishing a science based radiation standard, and substitutes by legislative fiat a standard more than six times less protective than generally accepted for citizens anywhere else in the United States.

By shipping waste to Nevada in advance of determining the suitability or licensibility of the Yucca Mountain site, the bill also irreversibly prejudices the scientific work at the site.

Any hope for an objective evaluation of Yucca Mountain will be lost.

The bill approved by the subcommittee today is an environmental and public health travesty.

Fortunately, as in the past two Congresses, the bill stands no chance of enactment into law.

President Clinton continues to oppose the nuclear power industry's special interest legislation, and will veto the bill should it ever reach him.

Even the industry knows there is absolutely no doubt of the firmness of the President's veto threat.

Congress will vote to sustain the President's veto, and we will have once again wasted years of time and effort on a useless battle of wills, when we could have be working together towards an equitable, reasonable, and safe resolution of any legitimate grievances the nuclear power industry has with the federal high-level nuclear waste program.

The nuclear power industry's obsession with moving its waste to off-site, no matter what the consequences, defies all logic.

The Nuclear Regulatory Commission, the Nuclear Waste Technical Review Board, and the industry itself agree that the waste can be stored safely on site for the foreseeable future.

Somehow, though, moving waste off-site has become the ''holy grail'' of the industry.

Taking the liability for the industry's environmental travesty has been their only rallying cry.

Unfortunately for the industry, commercial nuclear power's problems cannot be solved by waste legislation, or anything else we may do here in Congress.

Nuclear power is a declining industry, unable to compete in an increasingly competitive electricity marketplace.

An industry once touted as a technological marvel—one which we were told could produce power ''too cheap to meter'' at thousands of reactor sites—has turned into an aged collection of ''white elephants,'' struggling to keep operating.

As the electricity marketplace moves away from the regulated environment, an environment which virtually guaranteed full cost recovery for utilities huge investments in nuclear plants, the cost of nuclear power continues to rise, due to increasingly expensive maintenance and retrofit costs to keep the plants in operation.

While the industry likes to portray what they describe as ''radical environmentalists'' for its inability to compete, the true cause for nuclear power's demise is simple economics.

The value of nuclear power plants in today's electricity marketplace has plummeted.

Nuclear plants that do sell barely fetch any price in today's markets, and 21 reactors have simply been allowed to shut down.

As the thoughtful newspaper article that I will insert in the RECORD makes pretty clear, nuclear power is an industry with no future.

Unfortunately, the industry's last gasp, its last in a long series of strategic miscalculations, appears to be to

deposit its legacy of high-level waste in Nevada.

Since its very inception, the nuclear power industry has shown a totally irresponsible lack of foresight in dealing with its highly toxic waste stream.

For decades, the industry has shut its eyes to its growing volume of high-level waste, and continued to generate waste with absolutely no rational plan to manage it.

The end result of this irresponsible lack of planning—or maybe the real plan all along—has been simply a demand that the commercial utilities be permitted to shove the waste problem off on the American public.

In 1982, the industry convinced Congress to accept responsibility for disposing of the waste, and, ever since then, the industry's demands on the Federal Government, and the Treasury, have only increased.

The nuclear power industry's surreal sense of entitlement got a jolt of reality last week.

For years, the industry has saturated Congress with frightening scenarios of tens or hundreds of billions of dollars in supposed damages at the expense of the American taxpayer resulting from delays in the Federal Government's high-level waste program.

Last week, the U.S. Court of Claims dismissed one of the utilities self-serving billion-dollar lawsuits.

The Court told Northern States Power, which had filed a claim for over $1 billion, to return to DOE, and seek appropriate adjustments under the contract the utility had signed in the early 1980s.

More dismissals of utilities outrageous damage claims are sure to follow.

While the math leading to the industry's claims of $80–$100 billion in damages was always very mysterious and suspect, last week's decision by the Court of Claims should lay this outrageous scare tactic to rest for good.

The nuclear power industry, or, more accurately, its ratepayers, do have some legitimate grievances with the DOE.

Since 1990, I have introduced legislation to help the Department of Energy and the industry address problems created by the Department's inability to meet the 1998 waste acceptance deadline.

Under this legislation, utilities would be allowed credits against Nuclear Waste Fund payments for the costs associated with storage of waste the DOE was scheduled to accept.

Recently, numerous proposals have surfaced which call into question the fundamental approach of legislation such as H.R. 45 and its predecessors.

On the House side, legislation has been introduced, based upon a previous DOE proposal, which would allow utilities to escrow Nuclear Waste Fund payments, and use some of the investment income from these escrow accounts to pay the costs of on-site storage.

In the Senate, a proposal is being developed to seek at least a partial technological solution to the high-level waste problem, through research and development of transmutation technology.

This week, the Institute for Energy and Environmental Research released a proposal which would store high-level waste on reactor sites, under the stewardship of a federally chartered non-profit corporation.

The Secretary of Energy has his own very generous proposal to the utilities to address any inequities created by the DOE's failure to meet the 1998 deadline.

As a settlement offer to the many utilities filing lawsuits against the Department, the Secretary has offered to take title to the waste at reactor sites.

Under the Secretary's proposal, utilities would be relieved of both financial and legal responsibility for the waste, leaving full responsibility for the waste in the hands of the federal government.

The Secretary's offer is more than generous. The modest adjustments in fees available to the utilities under the Standard Contract would be adequately addressed, in my view, by the Secretary's proposal.

Several utilities, including Commonwealth Edison, one of the largest nuclear utilities in the nation, recognizing the futility of the nuclear power lobby's continued insistence on interim storage in Nevada, have indicated an interest in accepting the proposal.

As the details of the proposal continue to develop, and as the prospects for interim storage in Nevada continue to decline, other utilities are sure to follow.

In fact, for most utilities, the interim storage proposals currently before Congress provide little or no actual relief.

For many utilities, even the overly optimistic 2003 deadline for the start of operation of an interim storage facility is too little, too late.

By that time, many nuclear utilities intending to continue to operate nuclear plants will have already had to invest in additional on-site storage.

For any of these utilities, the Secretary's offer of taking title provides far greater opportunity for relief than the pending legislation—even if the legislation had any chance of passage.

Any utility CEO who refuses to consider the Secretary's offer to take title would be doing the utility's shareholders, and ratepayers, a grave disservice.

Until the nuclear power industry can recognize that the tired, futile approach they have adopted for more than 5 years is going nowhere, and is merely setting a course for yet another legislation train wreck, Congress cannot address in any reasonable fashion whatever legitimate issues the industry may raise.

It is well past the time that the industry should abandon its pipedream of interim storage in Nevada, and come to the table to negotiate an equitable financial and legal solution to its dispute with the federal government over its high-level waste.

In case there is any question of the prospects for enactment for the bill marked up today by the Energy and Power Subcommittee, I will have printed in the RECORD a letter from the Secretary of Energy, dated yesterday, which puts the committee on notice that any legislation establishing interim storage in Nevada will be vetoed by the President.

I ask unanimous consent that the letter from the Secretary of Energy, dated April 13, 1999, be printed in the RECORD.

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

THE SECRETARY OF ENERGY,
Washington, DC, April 13, 1999.

HON. JOE BARTON,
Chairman, Subcommittee on Energy and Power, Commerce Committee, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I was disappointed to learn that your subcommittee will hold a markup tomorrow on interim storage legislation, H.R. 45, the Nuclear Waste Policy Act Amendments of 1999. I understand that there have been some discussions between the Department's staff and your staff about my alternative proposal to take title to spent fuel from utilities at reactor sites, and I had hoped that some agreement could be reached on this alternative prior to the subcommittee taking action on legislation. I continue to believe that taking title to spent fuel at reactor sites could provide a basis for resolving many of the utilities' concerns, particularly in light of the recent decision by the U.S. Court of Federal Claims that the standard contract provides an adequate remedy.

I appreciate the fact that your substitute includes authority for the Department of Energy to take title to spent fuel at reactor sites and provisions intended to minimize the potential for continued litigation over the Department's contracts with utilities. The Department has not done a detailed analysis of these provisions of your substitute, but they appear to address many of the Department's concerns raised when I appeared before your subcommittee on March 12, 1999.

Let me reiterate, however, the Administration's opposition to any legislation that would make a decision to place interim storage in Nevada prior to completion of the scientific and technical work necessary to determine where a final repository will be located.

As you are well aware, the Department has completed considerable technical work at Yucca Mountain and submitted its viability assessment to the Congress and the President in December 1998. While the viability assessment found no technical showstoppers at Yucca Mountain, it identified a number of scientific issues that remain to be addressed before the Department will be able to make a judgment on the suitability and licensability of the site. Making a decision now to place interim storage in Nevada, in advance of completion of the scientific and technical work at Yucca Mountain, would prejudge the scientific work, would undermine public confidence that a repository evaluation will be objective and technically sound, and would jeopardize the credibility of any future decisions related to Yucca Mountain. It also does not make sense to transport spent fuel across the country until we know where the final repository will be.

As we have discussed, both the Administration and the Congress have been aware for some time that the overall constraints of the federal budget process have the potential to limit the availability of funding for the nuclear waste program in the out-years. The Administration strongly opposes provisions that would take the Nuclear Waste Fund off-budget without fully paying for it, and that would exempt this action from the pay-as-you-go provisions of the Balanced Budget Act. However, I would like to continue to work with you to assure that the repository program continues to be adequately funded and that the revenues raised by the nuclear waste fee remain available to complete the job of safe management and disposal of nuclear waste.

Finally, the Administration also strongly objects to provisions of the bill that would weaken existing environmental standards by preemption of Federal, State, and local laws.

For the reasons stated above, the Administration remains opposed to the proposed interim storage legislation, and I would recommend a veto if legislation containing these provisions were presented to the President.

The Department has been discussing my alternative proposal to take title to spent fuel at reactor sites with a number of utilities and other interested parties, and we will continue to do so. In the very near future, I hope to have a meeting with a group of utility executives whose companies have indicated an interest in discussing the proposal further. I will keep you informed of our continued efforts to reach agreement with the utilities on my proposal, and I look forward to working with you on these issues.

Yours sincerely,

BILL RICHARDSON.

Mr. BRYAN. In addition, the letter outlines numerous other environmental and fiscal concerns that the administration has with the revised version of H.R. 45 and makes it absolutely clear that the bill moving through the House in no way removes the administration's strong objection to this legislation. I will also have printed for the RECORD a letter from President Clinton earlier this year which repeats his veto threat in very clear and uncertain terms. Mr. President, I ask unanimous consent that letter to this Senator, dated February 16, 1999, and signed by the President of the United States, be printed in the RECORD.

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

THE WHITE HOUSE,
Washington, DC, February 16, 1999.

Hon. RICHARD H. BRYAN,
U.S. Senate, Washington, DC.

DEAR DICK: Thank you for your letter requesting a restatement of my Administration's position on legislation siting a centralized interim high-level nuclear waste storage facility in Nevada.

As we have stated repeatedly in the past, if legislation such as that passed by the Senate or the House in the 105th Congress were presented to me, I would veto it. Such legislation would undermine the credibility of our nuclear waste disposal program, by, in effect, designating a specified site for an interim storage facility before adequate scientific information regarding the suitability of that site as a permanent geological repository is available.

Thank you again for your interest in this important issue.

Sincerely,

BILL.

Mr. BRYAN. Mr. President, the bill approved by the House Energy and Power Subcommittee today is an environmental and fiscal travesty with absolutely no chance of enactment.

I urge Congress to once again reject this misguided and dangerous legislation.

I ask unanimous consent to have printed in the RECORD an article that appeared in the Las Vegas Review-Journal dated March 28, 1999, which outlines the dreadful prospect that the nuclear power industry has for any future, based upon the economics as I outlined in my statement.

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

COST, NOT SAFETY, IMPERILS NUCLEAR POWER

(By Jeff Donn)

SAN ONOFRE, Calif.—Surfers have been riding the thundering breakers of this beach since the days of the steam automobile, long before anyone cracked an atom to make electricity.

Joe Higgs adopted this beach as his second home even before bulldozers scraped away 1.5 million cubic yards of sandstone bluff for the first of three nuclear reactors. He and the San Onofre nuclear plant are uneasy neighbors to this day, peering at each other through barbed-wire fencing.

''I've learned to live with that. I love surfing, and I love the ocean so much,'' he said, looking up at the plant's three protective domes designed to seal in radioactivity during an accident.

But then he added: ''I wish it wasn't here, to be truthful.''

The way the nuclear industry is declining, his wish might yet come true.

Since the Three Mile Island accident in Middletown, PA, 20 years ago today, American attitudes toward nuclear power have been characterized by paralyzing ambivalence and mood swings. Under public pressure, the industry and government have profoundly reworked safeguards at tremendous effort and cost. Warily, the public has watched 51 commercial reactors hum to life in the years since the accident. All of them had been planned before Three Mile Island; none has been ordered since.

Virtually no one in the industry can imagine building a plant in the foreseeable future.

It is not runaway chain reactions but exploding costs that have jeopardized this $43 billion a year business. With barely a whimper, the nation has let 21 atomic reactors shut down. That's 17 percent of its total of 125. They are victims of the intertwined costs of safety changes and heavy staffing, building debt, and mounting expense to replace parts, clean up abandoned sites, and store radioactive waste.

Cranking up pressure, some states are making nuclear power stand on its own as they drop guaranteed electric rates for power monopolies to inject competition into energy production.

The nuclear industry still supplies about one-fifth of the country's power—second only to coal. But the U.S. Department of Energy predicts it could wither away almost entirely during the next 20 years. By just about any standard of policy or politics, atomic power is looking like a lesson in energy wasted.

''We over-promised and under-delivered. We created fears that are not appropriate, and the industry handled it all in a very defensive, closed way,'' said consultant Roger Gale, president of the Washington International Energy Group. ''We took a good technology, and we blew it.''

It's a remarkable turnaround for a technology that began with such hope. When the lights flickered on at Moorpark Nov. 12, 1957, the country was electrified.

CBS television captured the moment for history. The town of 1,146 people went black when it was cut off from Southern California Edison Co.'s conventional power grid. A few seconds later, thanks to the company's little atomic reactor in the Santa Susana Mountains, Moorpark and the nation awoke to the age of atoms for peace.

National leaders were eager to redeem the research and destructive power of the atom bomb. They promoted and helped finance the first round of nuclear energy plants and dreamed aloud of electricity so cheap it would hardly be worth metering, maybe 1,000 reactors by the year 2000.

In the 1970s, public worries about air pollution, the Arab oil embargo and the limits of fossil fuel supplies boosted the inherent high-tech appeal of nuclear power.

The backbone of the new industry's work force came from the ranks of the nuclear Navy—a gung-ho breed that later proved inept at dealing with a doubting public.

Decades of environmental and economic bruises have thoroughly rubbed off the veneer of atomic technology as the wonder boy of energy.

Public support for nuclear energy has slipped 70 percent before Three Mile Island to 43 percent in 1997, according to Roper Starch Worldwide, the polling company. Though some still view the U.S. Nuclear Regulatory Commission as too cozy with the industry, the agency sees itself primarily as a safety enforcer, not a booster.

''Nobody is going to order a new nuclear plant: too much political pressure and environmental pressure, and your capital is at risk for so long,'' said Chris Neil, an industry consultant with Resource Data International. ''Nobody wants to take that risk.''

Southern California Edison is deciding whether to sell its two big 1,100-megawatt reactors still active at San Onofre south of Los Angeles. California's 30 million people draw about one-quarter of their electricity from atomic plants, more than any other state. But that could change as California regulators complete the transition to competitive energy making.

''I don't think nuclear has changed that much. I think the world around it has changed,'' said Harold Ray, the utility's chief of generation.

Kara Thorndike, 14, sprawled in shorts on a blanket at San Onofre beach, busy with homework and oblivious to the atomic plant just a few hundred yards away.

''They have to be safe,'' she said. ''If they weren't, I don't think they'd put it in a public place.''

Even strong critics say the industry has greatly bolstered safety since the partial meltdown of a reactor core at Three Mile Island.

The nation's worst nuclear accident released little radioactivity into the environment, but it exposed dangers that shook government regulators into ordering expanded training of nuclear operators. Plants were redesigned to give operators better information on the state of reactors. Training control rooms were built identical to the real ones, down to the carpeting. Emergency command centers sprang up and connected to hot lines at the Nuclear Regulatory Commission.

While basically on target, the government's reaction might have at times been overzealous, according to William Travers, the new director of the watchdog agency, who oversaw the Three Mile Island cleanup through much of the 1980s.

Today, he said, the agency is ''looking to reduce the unnecessary burden.''

Regulators are stripping back some rules, saying they do not really bear on safety. Using downgraded risk predictions, the agency allows more limited testing of some plant materials and has a fast track for re-licensing old plants to help the industry compete.

In reaction, critics are again fretting over safety. A January report by the General Accounting Office, the investigative arm of Congress, said ''safety margins may be compromised'' as markets turn competitive.

Marybeth Howard, who markets computer hardware, was sunning herself at San Onofre beach and basking in thoughts of abundant electricity.

''I've got the lights on all the time,'' she said. ''I've got the stero cranked. I've got the microwave and the dishwasher on. Everything! I don't care how much the bill is! I don't even really pay attention.''

Her nonchalance sounds quaint in a world where ''energy efficient'' and ''energy conservation'' long ago entered common speech.

In the 1970s, the national appetite for power grew about 7 percent annually, but the growth rate has shrunk to about 2 percent a year—even with the strong economy. That makes it harder for utilities to pay off nuclear construction debts.

In some cases, big debt paid for little but frustration. The $5.5 billion Shoreham plant in Long Island, crippled by safety fears, never opened.

Only two operating plants so far have asked to renew their 40-year licenses. The licenses of 56 reactors expire in the next 20 years, but industry officials acknowledge some likely will close long before.

For one thing, it often takes more than twice as many workers to run a nuclear plant as an equivalent one with fossil fuel.

For another, aging nuclear plants increasingly need big-ticket replacement of generators, turbines and even reactor cores made brittle by decades of neutron bombardment.

San Onofre has been installing new turbines for its two active units at about $30 million each. Owners of Yankee Rowe in Massachusetts, the granddaddy of plants, shut down in 1992 after 32 years instead of buying a new $23 million reactor vessel to cradle its radioactive core.

Meanwhile, in states such as Pennsylvania, regulators are expected to bar utilities from recovering much of their nuclear construction debt through consumer rates during the changeover to competitive markets.

Some in the industry embrace two plant sales in the works as a sign of hope. An international partnership has even arranged to buy the Three Mile Island reactor that did not melt down and later came back on line.

But it is going for just $23 million. It was built for $400 million.

''It appears to me the way to sell a nuclear plant is to pay someone to take it off your hands,'' said Kennedy Maize, editor of the Electricity Daily trade newspaper.

The General Accounting Office says up to 26 plants appear vulnerable to shutdown simply because their production costs are higher than the projected price of electricity.

The industry is banking heavily on an expanding market for U.S. nuclear technology in Japan, Taiwan and other Asian countries during the next 20 years. France depends on nuclear plants for 78 percent of its power.

Environmental distaste, though, has dimmed nuclear prospects in Germany, Sweden and Italy.

Much of the future growth is predicted in developing nations without the centralized grids of power lines to accommodate big nuclear plants. Fear of spreading material and know-how for nuclear weapons is also braking nuclear energy to other lands.

''It's one of those things that seems to be good for a while, and then something else comes along,'' said nuclear physicist Thomas Johansson, who oversees international energy development at the United Nations.

Many analysts say the nation could weather a slow death of nuclear power fairly well.

They say natural gas, which supplies about 10 percent of power, can and will do much more. Dozens of gas generators are under construction.

But renewable resources, such as solar and wind power, have progressed slowly.

Backers of nuclear power say the nation can't attain international limits on greenhouse gases without atomic energy.

James Hewlett, an economist with the Energy Department says coal might be needed to pick up some slack. But Daniel Becker, an energy expert at the Sierra Club environmental group, says that's like ''giving up smoking and taking up crack.''

Maybe nuclear power was fundamentally flawed: steeped in danger and, as environmentalists sometimes suggest, the most expensive way ever devised to boil water. Maybe nuclear plants are just too big and centralized to thrive in an era of smaller-is-better.

But others say a potentially enduring technology was simply mishandled.

Mr. REID. Mr. President, will the Senator yield for a question?

Mr. BRYAN. Yes, I am happy to yield for a question.

Mr. REID. I am very happy, I say to my friend from Nevada, that I was here on the floor when he came to bring us the bad news. But the question I direct to my friend from Nevada—and there is no one who has worked harder on this issue than he has—is that it is my understanding that there is a consensus being developed by the administration and the Secretary of Energy, a number of the large utilities and somewhat smaller utilities around the country, and Members of Congress who have never been on this issue who are thinking that maybe the best thing to do is have the United States assume ownership of the nuclear waste and, in effect, take care of it on-site until there is a permanent depository. Is it true that there is an intensive development around here in that regard?

Mr. BRYAN. The Senator from Nevada is absolutely correct. I think there is a shaft of light at the end of the tunnel, if I may use that metaphor, in which a number of thoughtful Members of Congress, working together with the administration and some responsible nuclear utilities, have come to recognize the futility of the process that my friend, our senior colleague, knows only too well, and to try to work out something that addresses the legitimate concerns of ratepayers in States where nuclear reactors exist and yet does not devastate our environmental laws and create a situation that is costly and dangerous to the American public.

Mr. REID. The last question I direct to my friend is this: Is it also true that this is being done outside of the auspices and outside of the control and direction of the two Senators from Nevada?

Mr. BRYAN. The Senator is correct again. These are suggestions that have been generated by thoughtful Members in the Senate, and in the House, by the administration, and increasingly the dialog has indicated that, again, what I would call responsible and reasonable nuclear utilities are engaged in a dialog. And I am hopeful, as I know my senior colleague is, that we can avoid this train wreck that occurs annually in the Congress and work out something that deals responsibly and legitimately with the concerns that ratepayers have in States with these reactors, but does not involve this incredibly foolish effort to transport 77,000 metric tons of high-level nuclear waste to the State of Nevada unnecessarily. And, as the Senator from Nevada knows, that is simply not going to happen, because the administration and the Department of Energy's Nuclear Waste Technical Review Board all agree that such an approach is unnecessary and unwise.

I thank my colleague for his thoughtful and insightful questions, and I look forward to working with him in developing a responsible approach to resolving this issue.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. VOINOVICH). The clerk will call the roll.

The assistant 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 (Mr. GREGG). Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, am I correct the pending business is the conference on the budget for the year 2000?

The PRESIDING OFFICER. The conference has not been called up yet.

UNANIMOUS-CONSENT AGREEMENT—H. CON. RES. 68

Mr. DOMENICI. I ask unanimous consent the Senate now proceed to the conference report to accompany the budget resolution and, when the Senate reconvenes on Thursday, there be 5 hours remaining for debate as provided under the statute. This has been cleared on the other side.

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

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2000—CONFERENCE REPORT

Mr. DOMENICI. Mr. President, I submit a report of the committee of conference on the concurrent resolution (H. Con. Res. 68) establishing the congressional budget for the United States Government for fiscal year 2000 and setting forth appropriate budgetary levels for each of fiscal years 2001 through 2009, and ask for its immediate consideration.

The PRESIDING OFFICER. The report will be stated.

The legislative clerk read as follows:

The committee on conference on the disagreeing votes of the two Houses on the amendment of the Senate to the concurrent resolution (H. Con. Res. 68) have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the conference report.

(The conference report is printed in the House proceedings of the RECORD of April 13, 1999.)

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant 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 (Mr. GORTON). Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, I would like to announce to the Senate that the budget resolution, which we have called up and which is being considered, was approved just a while ago by the House, passed there by 220–208. So the remaining real business before we leave for this weekend is to get our budget passed here. I will say, if it is passed today, it would be historic. If it is passed tomorrow, it will still be historic, because we will have produced our budget resolution through both Houses, setting the blueprint for the year before the 15th, which is the statutory date. I will say to the Senate, we have only done that once in the 24-plus years history of the Budget Act.

I think our commitment to the Senate was helped by our various committee members, and help came from our ranking member, Senator LAUTENBERG, to get the job done. No use to delay it. We have been on the floor, gone through it. Yesterday we took a number of votes that we don't normally take, with Senators exercising their prerogatives to make us vote again on some of the issues. Today there will be a vote on final passage.

I remind Senators who might want to speak, whether they are on this side of the aisle or that side of the aisle, we have a unanimous consent agreement already entered into, with the full concurrence of the minority, that whenever we finish this evening—and that could be any time—there will be 5 hours remaining tomorrow. That is because there is a statutory mandate of 10 hours unless agreed to to the contrary.

That means that tomorrow we will be on for 5 hours and then vote. If Senators do not make it to the floor in the next hour or so—obviously, they can come down here, and if they want to make it easy on everybody, maybe they can tell Senator LAUTENBERG when they want to come and tell me when they want to come on this side, and we will accommodate them so they don't have to stay down here and wait a long time while others speak.

Having said that, I probably will reserve most of my time to answer what others might say about this budget resolution, but I would like to give a summary of where things are. I do not think that will take over 10 or 15 minutes. Then I will yield to Senator LAUTENBERG. I have already told my friend that I have to go across the hall for a Republican policy conference, and I will try to do that as soon as my remarks are completed.

Mr. President, let me briefly outline the conference report on the year 2000 budget before us this afternoon. The conference report before us is very similar to the Senate-passed budget resolution back on March 25 on a roll-call vote of 55–44. A similar but different House-passed budget resolution required a conference. That conference resulted in some modifications to the Senate-passed resolution which I will highlight later in my remarks. The basic outline for entering the millennium with a fiscal policy and a tax policy and a defense policy and an education policy, the basic content of that with some modifications is, indeed, what the Senate has before it again today.

First, this is a 10-year budget resolution. We have done a 5-year resolution and 7-year resolution, but this year is the first time we have used 10 years to make our projections and upon which to build the building blocks for the first part of this new millennium.

Now, we have done 5-year budgets and we have done 7-year. Why did we do 10? Well, the President's budget presentation in February was very unique, very different than any President has ever done before. The President and his staff tried to use 15 years, and that is 15-year numbers, and in some cases, 15-year estimates. This 15-year timeframe was a very convenient way to shade the fact that they were and are counting on raiding the Social Security surplus in the early years by $158 billion over the first 5 years of the President's budget. Without any attempt to obfuscate, clearly it uses $158 billion of the Social Security surplus for programs, for expenditures, so it was, indeed, a raid on that Social Security surplus, and then leave it to future Presidents and future Congresses to reimburse that trust fund for this administration's early spending plans which would have used some of Social Security's surpluses.

That is most interesting, especially because the President will be claiming that he is trying to save the Social Security surplus. I put out the challenge to anyone who wants to review the President's proposal and this proposal and see if anybody is entitled to the claim that we are saving Social Security's trust fund accumulations, exempting it, can't use it for taxes, can't use it for appropriated accounts. If you would like to look at it and see which does the most, I think you will find that the President puts $400 billion, that is ''billion,'' less in the trust fund during the next decade, or let me put it another way, on a 10-year basis, it shortchanges the trust fund by $400 billion.

That is as compared with what really ought to be in the fund. We put in what really ought to be in the fund, and that is all of it, all of the surplus year by year, not a portion of it over 15 years.

So we think we can properly say the first responsibility of this budget was to make sure that we did everything possible to protect the Social Security trust fund and to make it available for those who might want to reform, or in a major way change the Social Security program to add to its longevity and perhaps its fairness. But only for that purpose can any of that trust fund be used. That is the first big item. The conference agreement accomplishes that first objective, protects Social Security trust fund balances. Then we go on to three other major items.

Two, we didn't see any way that we could produce a budget to enter the millennium that did not maintain the fiscal discipline of the 1997 budget agreement. The distinguished occupant of the Chair, a distinguished member of the Budget Committee and other committees, knows that it wasn't very long ago that we set a fiscal discipline pattern which has brought us a great deal of success. We said we are only going to spend so much over the next 5 years. It wasn't over a prolonged period, just 5 years. That, plus some other good fortunes that are attributable to economic growth and prosperity, has brought us the best fiscal policy of any industrialized Nation in the world—sustained growth, manifold numbers of jobs, low inflation, and low interest rates.

We thought it was best that we stay on that path. So the second point is that the fiscal discipline is retained from the 1997 agreement. Why shouldn't it? There are those who say it is too tough. There are those who say we can't live by it.

There are those who say the President is going to force us to break this budget. Well, we aren't going to let the President do that. If that is what he thinks we ought to do, we will have to hear from him. We are going to try hard to live within those prescribed limits, which brought such credibility to the fiscal policy ideas of this Government that I believe we ought to stick with them for awhile.

Now, the third is another idea that somehow or another has been challenged here in the Congress, and that is that we want to return to the American taxpayer their overpayments to the Federal Government. Now, what we on our side of the aisle—and we hope some Democrats join us before the year is over—would like to say is that when you have an economy like this one,

with surpluses that we have, you should not just be thinking about spending money; you ought to be thinking about the taxpayer, too. In fact, maybe you ought to say let's look at government and let's look at the taxpayers and let's make sure we have as little government as possible, so that we consider the taxpayers to the maximum extent and have them paying the lowest taxes possible within a good, sound policy.

So while some will say, ''I would like a tax cut but not this one,'' or, ''I would like a tax cut, but not now; I would like it later, but I would like a little bit now and then wait for 5 or 6 years,'' we say the policy is a clear one. The United States succeeds when we have low taxes and we exceed our competitor countries in the world predominantly on the premise that our businesses and our individuals pay less taxes than those competing with us. That is a truism with regard to all of the European countries that try to compete. They are heavily taxed; we are taxed at a low level. They have huge burdens on business to take care of social welfare programs; we have far less.

As a result, business is flourishing in America and we are adding, if not hundreds of thousands, then in a few of the past 6 years, even a few million new jobs. And it is interesting to note, Mr. President, as we consider this budget, if a poll were taken of American business, in particular the medium-sized businesses that are flourishing in our country, and we were to ask them, ''Can't you grow a little more?'' they would all answer, ''Yes.'' And then if we said, ''Why aren't you?'' the No. 1 answer would be, ''We can't find enough skilled workers to add to our workforce to grow as we could.''

Now, that is a very interesting thing for America, and it does mean that there is one long-term problem we ought to be concerned about, which is the validity of our education system to give basic-skill education and basic-skill development to more and more of the young people and those who would like to be retrained in America.

I guess, as an aside, if that doesn't happen, then I know we should not be talking about how we will be able to meet the needs of our businesses. But I surmise that if we don't create more educational skill opportunities for more and more of our people within a decade, we will be looking at an American policy that is going to let more people come in from outside our country to take our jobs.

I hope everybody listening to these remarks knows in what sequence I have said it. Clearly, I would like very much to get to the next point in our budget, because within these fiscal restraints we have taken a look at where the priorities for the expenditure of money, even in this crimped manner, the budget following this fiscal restraint, should be.

I believe Americans would agree with us that we ought to increase spending on education. In fact, if you looked at the President's budget, you would probably say that is not enough; it is sort of a nominal increase. We have said that, and we have increased our recommendations for public education assistance significantly over the President's. In fact, if the recommendation of the Budget Committee were accepted, we would increase, over the next 5 years, spending on education by $28 billion.

Everybody should know, we don't pay for a lot of public education. Local expenditures are, by far, most of it. Perhaps our country pays 7 percent of the bill; 93 percent is paid by local school districts, States, et cetera. We asked that we put more in, but we expressed a big concern—that in doing that we not provide targeted U.S. Government programs mandating the school districts to do things our way, but rather that we have accountability and flexibility built into the education programs that we add money for. So our budget does that.

Next, we created a non-Social Security surplus of about $92 billion for unexpected contingencies, that is, we didn't spend it for tax cuts or on anything else. It starts in the fifth year. It is $92 billion for unexpected contingencies. That could be used for transition costs for implementing fundamental reform in Medicare. Or if we did not use it for any of those things, that is, contingencies and/or Medicare reform, then they would further reduce the national debt.

Understanding that I started my remarks by saying we set aside $400 billion more than the President in the first decade of the Social Security trust fund and lock it in a box that we are going to vote on later, all of that is used to reduce the public debt until we use it for Social Security. It dramatically reduces the public debt. That is one of the best things we can do, and we did $400 billion more of debt reduction during the first decade than the President.

We are proud of that and we think it is the best use of the surplus, and the second best use is to return it to the taxpayers, so we return to them a substantial amount in tax reform, tax cuts, which is $778 billion. So there will be no confusion, add up all of those numbers I speak of and you keep the Social Security trust fund intact, you leave $102 billion for expected contingencies, and you cut the taxes of the American people by $752 billion over a decade.

I don't want anybody to be surprised, but the Republican tax package will not be big at the inception; it will be small. But in one bill, we will pass tax changes that will wedge out and grow each year, and in the fourth, fifth, sixth, and seventh years, you will be providing significant tax relief to the American taxpayer. Frankly, I believe that is just about perfect.

Some are fearful of it because we provide it over 10 years. But I think the American economy is experiencing a tremendous boon right now. I think these tax cuts are going to trigger in —I don't mean ''trigger in'' in the sense that anything will have to happen. I will use another word. It will come into play at just about the time when we need tax cuts for the American people and American business, so we can continue the prosperity, growth, and opportunity that is so prevalent today.

In summary, those are the things we tried to do, and those are the things that show up in this budget resolution. After conferring, almost all of those principles that started here in the Senate are kept. I am pleased to indicate that some of the other things the Senate had in its budget resolution are kept in this resolution. So let me tell you a couple of those.

First, the conference adopted the Abraham-Ashcroft-Domenici sense-of-the-Senate framework for protecting Social Security surpluses through a mechanism for retiring debt held by the public and made it a sense of the entire Congress. That means that both the House and the Senate will use every effort possible to try to pass what we will nickname here today ''lockbox'' legislation, which would be statutory preservation of that fund, requiring a majority vote to dip into it. We will have more to say about that. It will then be perfected and introduced soon, after consultation with more experts. We think we will have one that is flexible enough, yet rigid enough, to make sure that we don't spend that money.

In addition, yesterday afternoon, for the second time, the Senate voted on a child care proposal that had passed the Senate with a 57–40 vote, including 15 or 16 Republicans. Yesterday, in revisiting it, more Senators expressed their will for that.

While in conference, I was not able to get the House to give on it in its entirety. We got $6 billion. Half goes for the block grant that Senator DODD and Senator JEFFORDS discussed, and half is indicated in the tax package and should be used for tax relief that is child care oriented for as many families in America as possible.

Now, I believe that the leadership of both the Senate and the House have made a commitment in this conference report to go beyond the resolution before the Senate today to try to pass legislation to make sure for the first time in history we truly have made it almost impossible in the future to spend the Social Security trust fund for the ordinary expenditures of our budget as a ''basket'' from which we borrow for overextending our receipts.

This resolution maintains the fiscal discipline required by law. Statutory caps cannot be changed by a budget resolution, and they are now written into the law. It does not assume any firewalls between defense and non-defense discretionary spending. We are

not trying to protect defense from domestic spending in this era of great demands on both. We will just let the good judgment of the Congress, in its collaborative efforts, do its will with reference to the defense spending and the domestic spending.

However, in our recommendations, we do substantially increase defense beyond that which the President requested. We do that forthrightly and openly. We believed, even before the Kosovo situation, that the U.S. Department of Defense was being underfunded. We finally asked the Joint Chiefs what they really needed. They expressed genuine concern, so we added most of their requests to the defense assumptions.

This resolution makes no decision on the expansion or extension of the caps beyond 2002. It assumes, on the other hand, that discretionary spending will grow over the decade, increasing at a rate of about half the rate of inflation and expanding to a total of $2.9 trillion over the next 5 years and $5.9 trillion over the next decade.

Within the aggregate numbers on the face of the resolution, and again as required by law, the level of appropriation is distributed by budget function for illustrative purposes, but everyone should know the final decision will be a matter for the Appropriations Committee and the subcommittees. Everybody is beginning to understand that the budget resolution was not intended to be a determiner of how much money each program gets, but rather the total that they must not exceed.

The conference report assumed the priorities I mentioned. I will add one clarification on elementary and secondary education. In the first year, we increased it $3.3 billion in our allocation assumption and $28 billion over 5 years. That would be over and above the estimated $100 billion that would be expended for these programs during the same time period.

We assume full funding of transportation programs adopted last year. We assume full funding of the violent crime trust fund next year. We also have assumed $1.7 billion in additional veterans' health care benefits over the President's request for this year.

Within the spending restraints, it is assumed that the historic pay equity between civilian and military pay will be maintained. It assumes that the Congress funds the President's request for the upcoming census, and it assumes we double the request for the National Institutes of Health—double his increase.

I think that clearly puts us on the side that most Americans desire. We increase defense, we increase education, we increase those functions of our Government that take care of crime and criminal justice in our country. In addition, we take care of our veterans. The President did not even increase, to any extent, the veterans' medical appropriations. We added about $1.7 billion.

Adding those up, and adding a return of tax dollars to the American people with the kind of protection for Social Security and Medicare that we have provided, I believe we have a very good format to begin the millennium, the year 2000 budget.

To maintain the fiscal discipline of the caps and reorder spending toward these and other national needs, it is clear that the Congress will need to set priorities. If not, then some of the proposals I have outlined will likely not be possible.

What are some of those lesser priorities on the Federal taxpayers' dollars?

First, last year we appropriated over $106 billion for programs whose authorizations did not exist. A good place to start looking for lower priority programs in the Federal Government might be in those areas where no authorization exists.

In addition to the unauthorized programs, as I have stated previously, it would be helpful if the Congress reviewed the GAO's recent high-risk series which lists 26 areas this year—nearly 40 percent which have been designated high risk for 10 years—areas that GAO has found to be vulnerable to waste, fraud, and error.

Second, it is clear that some programs will not grow, will remain at their 1999 level, and some will have to be reduced below a freeze as the President's budget suggested. I would suggest that committees and the administration take to heart the Government performance and results act that specifically identifies low performing and inefficient programs.

Some programs, such as various transportation projects funded last year outside TEA–21, were one time and we should not assume continued funding of such programs next year.

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

And yes, the conference 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 5 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.

The Senate-passed resolution assumed that expiring savings provisions in 2002, that were enacted in the 1997 balanced budget agreement, would be extended. This applied to all such provisions except expiring Medicare savings provisions. Between 2003 and 2009 these provisions would save $20 billion.

In conference the Senate receded to the House position that did not assume any of these savings provisions. In part this accounts for the fact that the non-Social Security surplus over the next decade has declined to $92 billion.

The Senate-passed resolution included the Dodd-Jeffords amendment to add $12 billion to child care spending over the next decade. The spending was offset with a reduction in the reconciled tax cut. The House had no such assumption.

The Senate voted yesterday to instruct the conference to adopt this provision. The conference assumes half of these resources for families with children to cover child care expenditures—$6 billion. These expenditures reduced the non-Social Security surplus and did not reduce the reconciled tax reduction.

For revenues the conference resolution assumes that tax reductions will be phased in and over the next 5 years will return overpayments to the American public of nearly $142 billion and $778 billion over the next 10 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 $92 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.

The Senate-committee-reported resolution included a provision to make emergency spending items subject to a supermajority point of order. This provision was adopted by the conference, while exempting Defense spending.

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 conference 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 5 years on programs unrelated to Social Security or Medicare.

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

Let me summarize. The conference report does four things: It protects 100 percent 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 resolution to close out the Budget Act's 25-year silver anniversary this year.

It is a good fiscal blueprint for the next century.

Commenting for a minute about the tax proposals in this bill, in the next 5 years Congress will be permitted under this budget resolution to reduce taxes on the American people by $142 billion, and in the second 5 years the total will be $778 billion.

The first and second year cannot be very big, depending on what loopholes are closed by the Finance Committee and the Ways and Means Committee. We can have a goodly tax in the first 2 years, moving up in a ''wedged'' manner to some very substantial return of taxes to the American people over this next decade.

There may be remarks on the floor about what these tax cuts will look like. Certain Republican Senators, including some of our leadership, may say what they prefer. That permits the Democratic leadership and Democratic Senators to get up and say they don't think we ought to give tax cuts to the rich, that we ought to spend it elsewhere rather than giving it to the rich people of our country.

This budget resolution gives the Congress of the United States and its committees full latitude to have a tax cut bill of whatever type the Congress and its committees ultimately approve and, hopefully, that the President will sign. I am quite sure when that package is finally put together the good judgment of the tax-writing committees, with Congress exerting its concerns, it will be a balanced package, focused on average Americans and on continuing the economic prosperity of our country.

If we do that, then I believe there may be disagreement between Republicans and Democrats, but I do believe it will not be the package that is constantly suggested by Democrats—that we are going to take care of only the high-bracketed people, instead of spending it on programs that are good.

I can do no better than that. I don't know that I will answer every time we are accused of having a tax cut that takes care of only the wealthy in our country. The facts are as I have indicated. Whether or not Senators have taken to the floor or given stump speeches or otherwise saying what they would prefer, we probably ought to give some serious consideration to reducing the brackets, with taxation more proportionally on every group of people. I am sure the package will be fair in building American prosperity by cutting taxes in the right places for economic growth.

I make one last comment about the return of tax dollars to the American people. I have been heard to say that as a Budget Committee member and chairman somehow or another when we finally get to that place where we can have surpluses for as far as the eye can see—according to those who estimate for us—I have been heard to say that maybe it is harder to manage surpluses than it is deficits. Yesterday my good friend, Senator LAUTENBERG, indicated that probably that is how it should be, because it is human nature that when you have real assets, you fight over them; with deficits you do the best you can.

I have found it more difficult to give taxpayers tax relief when we have had a surplus than I found as a budget chairman to give tax relief when we had deficits. That is rather incredible.

But I think the history will indicate that we have had many tax cuts, giving back money to the taxpayers, when we had deficits. Now we have a criticism of Republicans who want to give back tax money to those who have overpaid, because we have more money than we need; that we should not be doing it now. If you cannot do it when you have a surplus, when can you? If you cannot do it with a surplus, when should you?

It seems to me the answer is we probably ought to have a major tax reduction bill. I would think before the year is out the President of the United States will get into the act. He is probably still looking back to his first campaign, before he was elected, when he promised a middle-income tax cut. I know, in reading about the politics of the White House during the intervening years, that some of his consultants brought up that issue regularly during his campaign and first year in office—what about the tax cuts? Maybe they were not right in his scheme of things then, but I submit, with this kind of surplus, they are right now.

We look forward, after this budget resolution is passed—and hopefully that will be tomorrow—to working within the Congress—and hopefully Congress with the Executive—to take care of our public needs and take care of our taxpayers' needs. But we will always be vigilant that we not put one over the other, since it is the taxpayers who make our Government capable of doing what it does.

With that, I yield the floor and repeat to Senators, if you do not get to speak this evening, there are 5 hours tomorrow. We will be glad to start taking names for tomorrow. It will be better than tonight. We can get through early tomorrow and early tonight and still have a lot of debate time if most of you will sign up for tomorrow, which means we could get out of here rather early this evening.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I want to respond to the analysis just given us by our good friend and colleague, the chairman of the Senate Budget Committee, Senator DOMENICI. One thing about Senator DOMENICI, he is always direct. He always calls it like he sees it. And therein lie, perhaps, some differences.

The expression, ''beauty is in the eyes of the beholder,'' is one that fits well, I think, because I see it quite differently than Senator DOMENICI. As we begin consideration of the conference report, for the benefit of those who do not know how we work here, the conference report is that report on the budget that has been agreed to by the House of Representatives, their Budget Committee people, and the Senate Budget Committee people. So I have to say at the outset that it is quite obvious that it is the majority's report we are looking at. Even though there are 45 Democrat Senators here, the fact is, with rare exception, all of the Democrats voted in opposition to the initial Budget Committee report and my view here is that we are probably going to see at least something as strong in opposition to the report that has now been agreed upon by the House representatives on the budget and the Senate representatives.

Look at this. Here we have a budget resolution, one that says this is the way we ought to be spending our money. Mr. President, I remind those who are in earshot, this is a toothless tiger. It does have the force of a Senate-House conference committee agreeing that is what we ought to be spending, but it is without law to support it, and it is now an instruction to the various committees that have the jurisdiction to set up the spending as recommended by the Budget Committee.

But what a time this is. The economy has never been stronger. I have been around a long time—thank goodness, for my kids and me—but we have never seen an economy like this. Unemployment is low, inflation is almost unheard of, the stock market is booming, people are able to invest in housing and education and plan their future and vacations. Our fiscal house is in order. We are now running surpluses, having come a long way from 1992 when President Clinton took over, when we were

running annual deficits in the high $200 billion. Now we are running surpluses. So we have done something good. I commend my colleague, the chairman of the Budget Committee, for the hard work that he did—that we did bilaterally, with the President of the United States—to get a balanced budget in place. That, I think, has had a large effect on how it is we got to this current period of prosperity. But at the same time we face serious long-term challenges. Most importantly, the baby boomers' retirement is going to put tremendous pressure on Social Security and on Medicare in the years ahead.

The key question facing Congress is whether we will meet those challenges and prepare for the future at this time or whether we are going to yield to short-term temptation at the expense of the longevity of these programs. Democrats are committed to focusing on the future. Our top priority is to save Medicare and Social Security for the long term by reducing our debt, keeping our debt in control, and increasing national savings.

We also want to provide targeted tax relief for those who need it most and that is the middle-class families, those who work hard for a living, those who are dependent totally on wages and salary for their living. We want to invest in education and other priorities that will enhance the lives of those who are not yet university age but who are looking forward to having a job and career that gives them a decent lifestyle.

The Republicans, our friends on the other side of the aisle, have a different view. Their plan as embodied in this conference report focuses on huge tax breaks, largely for the wealthy. I want to give an example of what it is I am talking about because so often our Republican friends get irritated when we say ''focused on the wealthy.'' But if you are in the top 1 percent of the income earners—that is starting at $300,000 but averaging $850,000 a year—if you are one of the lucky ones, one of the skilled ones, or one of those who inherited wealth, and your income is $800,000 a year, you get a $20,000 tax break in this budget that is proposed before us.

On the other hand, if you work hard and you go to work every day and you worry about how to educate your kids and you worry about how to pay your mortgage and you earn $38,000 a year, you get $100—oh, $99, I am sorry; it is not even $100—a $99 tax break. Somehow or other that doesn't seem right to me: $800,000 on the one hand gets a $20,000 tax break and on the other hand, if you make $38,000, slightly over $700 a week to support your family, you get $99 and you can spend it in any way you want, the $99; buy a yacht, buy a vacation—whatever you want to do with the $99. So it does not seem right to me.

These tax breaks on top of the unfair balance between those who are the wealthy and those who work hard for a living would cost the taxpayer enormous sums in the future. It would absorb funding that is needed to save Medicare. And that, when you get right down to it, is really the main issue this conference report presents to the Senate.

Question: Should we provide huge tax cuts, many of which will benefit the wealthy? Or should we use that money to save Medicare?

Of course, there is a lot more to the conference report before us, so I will take a little time now to explain why I strongly oppose and intend to vote against the acceptance of this conference report. There are four primary reasons.

First, it does not do anything to increase Medicare's life. In other words, in 2015 Medicare is ready for bankruptcy, if things go as they are.

I have suggested that we ought not use funds needed for Medicare for tax cuts that are primarily for the wealthy.

Secondly, it threatens Social Security because it fails to extend Social Security's life, but it allows the use of surpluses generated by those who currently pay about 13 percent of wages; that is the worker and the company, for purposes other than Social Security.

Thirdly, it is fiscally dangerous. I used to run a big corporation, and I will tell you that this is not the way to plan the long-term future. It proposes tax cuts that do not cost much in the beginning, as the distinguished chairman of the Budget Committee said, but he said it is going to cost over $700 billion. In 10 years, over $750 billion will be used to provide that tax break.

Fourthly, it proposes extreme and unrealistic cuts in essential programs that are necessary for the well-being of all our citizens. It would devastate public services on which so many depend. Moreover, Congress will be unable to pass the bills that provide the funding that these programs need, and it could lead eventually to a repeat of a terrible experience that we had a few years ago—a Government shutdown. These are the kinds of programs that would be affected.

Medicare's hospital insurance trust fund is now expected to become bankrupt in 2015. It is critical that we address this problem and do it now. There is no doubt that we have to modernize and reform Medicare to make it function more efficiently, but whatever reform process we pass, we still need more resources—more money, to put it bluntly. In an attempt to find an overall solution, President Clinton proposed allocating 15 percent of projected budget surpluses, that is, the unified budget, for surpluses for Medicare. This would extend the life of the Medicare trust fund for another 12 years. Our Republican colleagues deride this proposal. They say it amounts to adding meaningless IOUs to Medicare, but they are wrong.

First, the President's proposal would reduce the debt that the public holds in bonds and investment in Government securities, which would significantly reduce interest costs in the future, which would help us actually pay for Medicare with the real dollars saved.

Unfortunately, the Republican budget resolution we have in front of us totally rejects the President's proposal to extend Medicare solvency. Instead of directly using these surpluses for Medicare, it uses almost all of that money for tax cuts. The document we have in front of us—that was prepared exclusively by Republicans, I remind you—does not specify how we are going to provide those tax cuts. They will be drafted later in the Finance Committee. However, based on the comments of the chairman of the Finance Committee, it is fair to assume that most of the total benefits will flow to the wealthiest Americans. Mr. President, these GOP tax breaks would come at the direct expense of Medicare. It is wrong.

Under the Republican plan, not one penny of projected surpluses is guaranteed for Medicare—not one cent. The resolution claims to reserve about $90 billion for unspecified uses over 10 years and suggests that maybe we can take some of that $90 billion for Medicare. However, that is far less than the $350 billion the President wants to put into Medicare over a 10-year period. And none of this $90 billion is actually reserved for Medicare.

In any case, there is nothing left for the Medicare program after these funds are used up for unexpected emergencies. For example, emergency spending now averages $9 billion a year. That is emergency spending for natural disasters or some other disaster—fire, whatever you have—in a community that is needed each and every year. It is reasonable to assume that future emergencies will consume all of this so-called reserve.

Mr. President, the Republicans' 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 needs in the future. The resolution almost certainly would mean higher health care costs, higher copayments—that means for the beneficiary. If you have an incident or a matter that can be reimbursed by Medicare, you will have a higher copayment, you will have higher deductibles, lower quality health care services, and probably fewer hospitals, all because the Republicans insist on providing these huge tax breaks.

Beyond Medicare, the second major problem with the Republican resolution is that it poses a direct threat to Social Security.

Just yesterday, I offered a motion to instruct the conferees, those from the House and those from the Senate—but particularly it applied to the Senate because that is where we give our directions—that they ensure that all Social Security surplus is used only to extend the life of Social Security. It was

not a close vote. The motion was adopted by a 98–0 vote. Ninety-eight Senators said, yes, this is the right kind of attitude we want to see. Ninety-eight out of 100 Senators said, yes, we want to use all of our Social Security surpluses to extend the life of Social Security.

But within just a few hours of that vote—the vote took place here, then it went to conference over there in the House, and the conferees, the group that was sitting around the table, our Republican friends, approved a provision that would allow Social Security surpluses to be used for other purposes. I find it astounding and, frankly, it is outrageous that 98 Senators stood up and voted aye, yes, we want all Social Security surpluses to be spent on Social Security, and it went in the wastebasket within a few hours. Quite incredible.

The conference report establishes, as we heard, a lockbox that supposedly protects Social Security surpluses. But it does not do that. It establishes a largely meaningless 50-vote point of order against future budget resolutions but has a huge loophole for any legislation that ''enhances retirement security.''

We do not know what the definition of ''retirement security'' is. What does it mean to enhance retirement security? It does not say ''Social Security.'' This is a word game we play here. We say one thing, but it has a different meaning when we say it over here. Just a change of a word or two: ''Retirement security'' versus ''Social Security.'' Presumably this retirement security plan could mean a wide range of purposes.

Mr. President, it is unacceptable, it is outrageous, it deserves to be condemned in the strongest possible terms. Social Security surpluses should not be used for ''retirement security'' or anything that we do not understand clearly. Sure, it should not be used for tax cuts. They should not be used for risky new schemes and programs. They should be used to pay Social Security benefits, period.

The third problem with the conference report is that it is fiscally irresponsible. The resolution calls only for small tax cuts in the first year or two. We heard the chairman of the Budget Committee say so. But the cost of these tax cuts explode in the future.

Over the first 5 years, the total tax cuts that we would have would cost $142 billion, but over the second 5 years that cost increases to $636 billion, about 4½ times as high as the first 5 years. And that is another way of getting at things. It is kind of a little bit sleight of hand, I would say. That is to say, ''Oh, we can give these tax breaks, give these tax cuts, and it's not going to cost anything.'' No, not while most of us are still Members of this Senate. But 10 years hence, when we add up the scorecard, we will have spent almost three-quarters of a trillion dollars for tax cuts.

Mr. President, the final problem with the Republican plan is that it forces extreme cuts in programs for Americans here at home. Tax cuts, on one hand, cost something for the ordinary Americans on the other hand.

I want to point out something. We Democrats are not opposed to tax cuts that are targeted, that means something for middle-class people, that means something for hard-working people who have to watch if not their pennies, at least their nickels. That is the way we want to do our tax cuts. We want to encourage savings, we want to encourage child care, we want it so people can have child care in case they do want to work. We want to make sure there are funds there for long-term health care for an elderly person. That is the kind of tax cut that we seek, not this broad, across-the-board tax cut that will give these $800,000 wage-earners a $20,000 tax cut. So we will be losing, as a result of that—programs that are here called nondefense discretionary programs—about 7½ percent in the first year. But the real cut in most programs would be much deeper.

Keep in mind, the Republican leadership has said they will increase or maintain funding for a handful of favored programs like new courthouses, the transportation bill for the next half dozen years—we call it TEA–21—the census, the National Institutes of Health, and some crime and education programs. That leaves other unprotected programs facing cuts of about 11 percent.

I want to point out what we are talking about. This is not just an amorphous discussion about arithmetic. When we say 11 percent, we are talking about everything from environmental protection to the National Parks and the FAA. The FAA is responsible for the maintenance of our aviation fleet and working hard to keep up with the new technologies and the needs as aviation expands its marketplace.

The Coast Guard. My gosh, everyone knows the Coast Guard is one of the most important branches of service that we have in this country. They do everything. They do drug interdiction. They maintain waterways. They are out there picking up illegal immigrants who are trying to float their way to the American coast. They are on pollution patrol. They watch it all. You want to cut that down? I do not think so. Eleven percent—that would be devastating.

I heard our Senators from States that border Central America about the inadequacy of the number of Border Patrol members that they have. This would take a big slice out of that so that we could no longer do even the protection of our borders as efficiently as we do now.

We would be losing lots of FBI agents, NASA would be hurt, our space program, job training, head Start, the program that gives kids who come from a disadvantaged background a little bit of a head start.

So what would it mean in real terms? Here are a few examples based on the administration's estimates: 2,700 FBI agents would be lost; 1,350 Border Patrol agents; 780 drug enforcement agents would be lost; 90,000 fewer dislocated workers would receive training for new jobs, job search assistance, and support services; 34,000 low-income children would lose child care assistance—what a devastating thing that would be to lots of families—over 1.2 million low-income women, infants and children—we call it the WIC Program—would lose nutrition assistance each month.

How can we face our conscience?

FAA operations would be cut by almost $700 million. It would lead to travel delays, weakened security, lack of critical modernization technologies. The Superfund Program that cleans up these toxic waste sites left by our industrial past—unusable ground—that raise potential dangers to those who live nearby; we would lose 21 opportunities to clean up Superfund toxic waste sites, needlessly jeopardizing public health.

Up to 100,000 children would lose the opportunity to benefit from Head Start; 73,000 training and summer job opportunities for young people would be lost.

Mr. President, these types of cuts clearly are unacceptable. They are not what the American people want.

Unfortunately, under this resolution the problem gets dramatically worse in later years. By 2004, these nondefense cuts—again, defense, on one hand, nondefense on the other. Defense is a very favored account in this place, and I support a strong defense. And, boy, if we ever doubted our need to fund it, we see now that we have to do it. But we do not have to give them all of the new resources that we have.

By 2004, the nondefense program cuts grow to 27 percent. There isn't a Senator here, who, when faced with reality, is going to vote for those kinds of cuts. But they put their heads in the sand. They are not looking at what the longer consequences of this budget resolution are going to be. And it does not even include any effects of inflation.

Mr. President, you really have to wonder whether our Republican friends are serious about cutting domestic programs by 27 percent. It is hard to believe, especially when they are not giving us any details about where those cuts would come from. Some Republicans have argued that these cuts are required because of the discretionary spending caps which remain in effect through 2002. But that is not true. ''Spending caps,'' again, is part of the vernacular here. Those are the levels of spending that we agreed we would adhere to until 2002. But we are now in surplus. We are out of debt because of the good fiscal policies that we have had here. That occurred because Democrats and Republicans and the President worked together.

Much of the problem for domestic programs is created because the conference report increases military spending significantly over last year's level. Since all discretionary spending is now under one cap, that extra money must come directly from the other programs that we talked about.

Cutting domestic programs by 27 percent in 2004 is not realistic. It is an extreme decision. When it comes time for cutting specific programs, Congress sure will not likely follow through.

In other words, this budget resolution is a roadmap to gridlock. If we can't pass the appropriations bills, the funding bills, we face the prospect of a horrible nightmare that we once experienced here, and that is a Government shutdown.

Why, then, are we considering a budget resolution that even some Republicans admit can't be enacted into law? The answer is simple. Republicans are desperate to claim that they are for tax cuts. And they see that as the ''Holy Grail.'' That is what they say Americans want. I tell you, I see it differently. I see an America where someone comes from a home that is not wealthy, sometimes widowed. I had the experience personally. My mother was widowed at age 36. My father died when he was 43. There was not a chance at all that I was going to be able to get an education or progress in life. But, fortunately, I served in the military—World War II—and I was able to get my education under the GI bill. It is an incredible thing that we offer when we propose to young people that they have a chance to get a job and to progress and to live a life that is better than their parents in most cases. Here we are saying, well, tax cuts will take care of it all. No. Tax cuts won't take care of it all. Some tax cuts will help, but some tax cuts are just giveaways to wealthy people. The result is that we can create stresses in our society that make living uncomfortable.

Right now we see violent crime going down in the most unlikely places. Why? Because we have more police on the streets? Yes. Because we put more criminals in jail? Yes. Because the judges are tougher? Yes. But it is also because people see a way to make a living legitimately and they do not turn to criminality. It is because there are education programs and there are job opportunities that have been created. That is the difference.

In one case you have a stable society. Those of us—and I include myself, having had a successful business career—who can afford to pay for the privilege of living in this country ought to step up and pay for it and not be looking for tax cuts but be looking for harmony and stability in our society. That is what it is all about.

Here we have the tax cut proposal, the Republican tax cut proposal. They think it is politically going to keep up their majorities here. It is not going to happen, because we do not have a clue on how to pay for them. And as long as we don't know how to pay for them, we can only expect the worst.

Mr. President, we are left with a budget that can be described a little bit as show business, fantasy, a budget that almost everybody knows isn't worth the paper on which it is written.

I have to say that some of the other provisions in the conference report as well are highly problematic. The conference report establishes a new process, a 60-vote point of order against all emergency spending except for defense.

Now I pose a situation. Take a volcano in the State of Washington or an earthquake in the State of California or the floods that hit Missouri or the droughts that hit other States or the storms that hit the Northeast or the Southeast. If we say, well, these are emergency conditions, it disturbs the community, it destroys their economic viability; we want that to be taken care of by programs that we have in the Federal Government. Now we are saying, well, it is not enough to have 51 votes. Let's make sure you have to have 60 votes so that 41 votes can stop any program they want.

Let's suppose that there is a political problem existing in a campaign for President or Senator, and one party is in power here. They know that State X, Y or Z has a stronger possible voting block than the other party; 41 Senators can get up and stop it cold. Emergency spending is emergency spending. We ought to leave it to a majority of the Senate to decide that, not require 60 votes.

It flies directly in the face of the Senate-passed resolution. That is the way we did it. We left it 50 votes. So not only do I strongly disagree with it as a matter of policy, but I think it is an abuse of the conference process.

If 59 Senators think that we need to pass emergency assistance to help those ravaged by a flood or earthquake, we can't let 41 Senators block it.

Why should we be buying new weapons with a higher priority than saving the lives of Americans who are suffering from a natural disaster? We know there have been abuses of the emergency designation, but the Governmental Affairs Committee developed a reasonable approach to cutting down on those abuses. They established a new definition and a new process for extracting new emergency items that were added at the last minute in conference reports. The Senate approved that approach, and the House didn't have anything about this in their resolution.

Yet, when they got together in conference, the conferees on their own decided that they would delineate a new and entirely different approach. It is not right. That is not the way the system is supposed to work. We talk about majority rule.

I am also concerned that the conference report rejected yesterday's Senate vote in support of the Dodd child care amendment. It was supported, in part, by our Republican friends, but the amendment that was carried through this body called for $12.5 billion in new funding for child care on top of any new related tax cuts. Instead, what the conferees did is provide only $3 billion in child care funding. We had 66 votes for the proposal yesterday at $12.5 billion. Today, it is down to $3 billion. That is not what the 66 Senators voted for, and it is a sad commentary on our commitment to families in need.

Finally, I am also disturbed that the conference report includes a provision saying that any reestimate of our budget surplus can be used only for tax cuts. I think it is a mistake. I think it is wrong. Why should tax breaks for wealthy people be given a higher priority than education or Social Security or Medicare or defense or veterans' needs?

Mr. President, I do not think we should be spending any surpluses until we save Social Security and Medicare. And I certainly do not think that surpluses should be reserved only for tax cuts, especially when we know that many of those cuts are going to go to wealthy folks.

There are many serious problems with this conference report. Before I close, I want to quickly recount the four problems that are most fundamental.

First, it doesn't guarantee a single additional penny for Medicare, even though Medicare faces bankruptcy in the year 2015. Instead, it takes money needed for Medicare and uses it for tax cuts that will benefit the wealthy.

Second, it threatens Social Security. It doesn't extend Social Security's solvency by a single day, and it calls for using Social Security surpluses for purposes other than Social Security directly.

Third, it is fiscally dangerous. It calls for huge tax cuts, the costs of which 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 public services.

More likely, Congress will never approve them, and we will again be facing the disastrous threat of a Government shutdown. The people who voted for it, for the most part, know very well that this is not a budget that is going to survive. It is too bad that we are taking all of this time and expending all of this energy to produce this sleight-of-hand budget proposal that we see in front of us.

I am strongly opposed to this conference report, and I hope that it will be more than a party-line vote that votes against it.

With that, I yield the floor.

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

Mr. LAUTENBERG. How much time do we have, Mr. President?

The PRESIDING OFFICER. The Senator used 44 minutes of his 2 1/2 hours.

Mr. LAUTENBERG. I would be happy to yield to the Senator.

Mr. WELLSTONE. Mr. President, this is an inquiry. I gather my colleagues are on the floor, the Senator from Missouri and others, to speak on the budget; is that correct?

Mr. BOND. Yes.

Mr. LAUTENBERG. He has the right to use the time. He is the manager.

Mr. WELLSTONE. Mr. President, I will wait to get some time in morning business to introduce a bill with Senator DOMENICI. Why don't we go on with the process.

Mr. LAUTENBERG. I yield the floor, Mr. President.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, on behalf of the chairman of the committee, I yield 10 minutes to the Senator from Missouri, Mr. ASHCROFT.

The PRESIDING OFFICER. The junior Senator from Missouri is recognized.

Mr. ASHCROFT. Mr. President, I thank the senior Senator from the State of Missouri. I rise to commend, thank, and praise Senator DOMENICI for crafting a budget resolution that we can stand up for and speak about and be grateful for. I appreciate it.

The conference report balances need for responsibility, the need for setting priorities. When families gather around the kitchen table to make budgets, they set priorities. They say: If we are going to get the new car, we don't take the same vacation; we can't spend the same money twice.

For too long, I think the U.S. Government, thinking that it could always just go further and further into debt or raid the Social Security trust fund, didn't have to set priorities. This is a budget that sets priorities. It sets priorities that are important.

The conference report reduces the debt of this country. It will increase funding for education, it will reduce taxes, it will increase funding for national defense, and it will maintain the spending caps that are so very necessary if we are going to have the kind of discipline that keeps us from further invading the province of the next generation and their desire to be able to build their own future, instead of paying for our past. That is the real question when we decide whether we are going to have discipline in spending. It is a question of whether we will let the next generation build its dream or pay for our past.

This in great measure is due to Senator DOMENICI's great efforts. I especially appreciate his willingness to work with his colleagues. At the start of this process, several other Senators and I sent Senator DOMENICI a letter asking for a budget that saved Social Security surpluses, that reduced the $3.8 trillion public debt, that pursued at least $600 billion in tax relief over the next 10 years, that maintained the statutory spending caps, and included increases in funding for both education and national defense. These were specific items that we requested in a letter addressed to the chairman of the Budget Committee, Senator DOMENICI. I know the occupant of the Chair understands what was included in that letter and endorses that as well.

What is gratifying about what the chairman of the Budget Committee did is that the budget that has been prepared both meets and exceeds these goals. It calls for the following: A substantial Federal tax relief package, $142 billion over the next 5 years, $778 billion over the next 10 years. The resolution requires the Senate Finance Committee and the House Ways and Means Committee to report out their tax cut plans by mid-July, a major step forward for the American people, to say to them, ''You earned it, we returned it''—instead of, ''You sent it, we spent it.'' For so long the Congress has said, ''You send it, we will spend it.'' No matter how much they sent, we spent. We viewed the American people as somehow our ''sugar daddy'' for more and more programs and greater and greater spending.

I think it is high time we said to the American people: We believe in you for the future of this country, we believe in families more than we believe in bureaucracy, we believe in the private sector. You have earned so much, you have worked so hard, that we have an operating surplus down the road and we will share it with you by way of tax relief.

Second, it stays within the spending caps. The spending caps have enabled us to bring the budget into balance. I am happy that this budget maintains those caps.

It increases spending for education and defense. This is most important. We understand the ability to defend the country from foreign aggression and the ability for the country to have the kind of intense vigor and vitality that comes from well-trained, bright citizens. These are the two cornerposts of our existence. Education spending goes up 40 percent. The budget fully funds the $17.5 billion in defense spending requested by the Joint Chiefs of Staff over the next 5 years. We accommodated both of those by setting priorities. Senator DOMENICI and the Budget Committee, including the senior Senator from the State of Missouri, have done a good job.

The conference report contains an amendment which I introduced directing that this new education resource be directed to the States and local education districts and not new Federal bureaucracy. We do need to increase the bureaucracy. We need to elevate the students' performance levels; their achievement levels need to soar. We don't do that by building bureaucracy in Washington. We need to get that resource directly to the classroom. I am pleased that the conference report will contain this amendment which I proposed, saying that the increase will go to school districts in schools where parents and teachers, principals, and school administrators will make decisions—instead of bureaucracy directing it from Washington.

The conference report also reduces the debt by $450 billion, $450 billion more than the President's proposal would have reduced the debt. It is time for us to reduce the publicly held debt of this country.

Perhaps most importantly, this budget saves $1.8 trillion over the next 10 years for our Nation's elderly. This money is vital to shoring up the Social Security system. This stands in stark contrast to the President's plan, which spends $158 billion over 5 years of Social Security surpluses for non-Social Security purposes. On the one hand, we save $1.8 trillion over the next 10 years for our Nation's elderly; the President's program over the next 5 years alone would have spent $158 billion of Social Security surpluses for non-Social Security spending.

In addition to the money that this budget saves for Social Security, the budget also takes procedural steps to build in onbudget surpluses from the year 2001 and beyond. In other words, there are Social Security surpluses saved, then there will be other surpluses that relate to the rest of the budget—and the budget is careful to make sure that those surpluses will materialize beginning in the year 2001.

This is setting priorities. This is kitchen table economics. This is understanding that in order to make some things work, you have to adjust other things and you have to work them together. It is not just a wish list, this is a real spending plan. It is a spending plan that honors the next generation and the future of this great country.

Under these new important procedures, Congress could no longer spend billions of dollars on so-called ''emergencies'' that were not really emergencies. These new procedures stop the mislabeling of ordinary expenses in the category of ''emergencies'' so that you could invade funds or take Social Security surplus and spend, which happened last year. There will be a point of order in this budget that says you cannot do that, you cannot mislabel, you cannot automatically categorize things as emergencies.

Last year, the President and the Congress together spent $21 billion from the Social Security trust fund on these so-called emergencies. We need to stop that. We must stop that. This budget will stop that kind of practice.

The conference report contains a 60-vote point of order ensuring that emergency spending will be limited to actual emergencies. In addition, surpluses that are accumulating in the Social Security trust fund will no longer be used to finance onbudget deficits in governmental operations. It is a fundamental first step of Social Security reform that the Social Security surpluses should not be used to funding deficits in the rest of government. This budget stops that.

In order to establish this first step, Senator DOMENICI and I introduced legislation that would establish a 60-vote

point of order against any budget when the Social Security surpluses are used to finance onbudget governmental deficits.

I rise to say how much I appreciate the work of the chairman of the Budget Committee, the members of the Budget Committee, and their cooperation with the Members of the House to work together to bring a budget that really does what family budgets do—sets priorities, looks to the future, understands we cannot have everything all the time, but protects Social Security and its surplus, protects our budget generally from mislabeling that gets us into emergency spending which puts us into debt or raids the Social Security surplus, keeps the caps in place, elevates the capacity for spending for education, and strengthens the military. These are the fundamentals that are important to America's strength in the next century. This budget does that.

There have been a number of years in which I have not voted for the budget. I haven't been able to in good conscience. I voted against last year's budget with the $21 billion raid on the Social Security trust fund. However, I will be able to vote for this budget. This is a budget for which we ought to be grateful. This is the kind of budget that we are grateful to have the opportunity to vote in favor of. I commend Senator DOMENICI and the other members of the Budget Committee and the House for its cooperation in getting us to a place where we can present this kind of spending plan to the people of the United States of America, for it is their money that we spend. This is a budget that they would be proud to develop, were they to sit around the table and make those kinds of hard-nosed judgments about the Nation that they make regularly about their families.

I thank the Chair and I yield the floor.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, before Senator ASHCROFT leaves the floor, I thank him for his kind remarks. I, too, agree we have a very good budget.

Mr. President, I am going to yield to Senator BOND who wants to manage the bill for me for a while. He has a lot of time this afternoon. But I ask unanimous consent for 1 minute to proceed as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from New Mexico is recognized.

Mr. DOMENICI. I thank the Chair.

(The remarks of Mr. DOMENICI pertaining to the introduction of S. 796 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. DOMENICI. Mr. President, I say to Senator DODD, here I got a half loaf, maybe a quarter loaf—but we got something.

Mr. DODD. Mr. President, if I can have the floor for just a second, because I don't know who has the time to yield to me?

Mr. LAUTENBERG. I have the time to yield to the Senator.

The PRESIDING OFFICER. Does the Senator from New Jersey yield time?

Mr. LAUTENBERG. I yield so much time as the Senator from Connecticut needs.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. DODD. Mr. President, let me thank my colleague from New Mexico on the child care effort. There was obviously, strong bipartisan support for this measure. As the Senator points out, as is normally the case, you do not get everything you want, but it is a major bipartisan step forward and will make a lot of difference in people's lives. We had to fight very hard and there was a lot of objection on the other side. Without his efforts, it would not have happened.

I also thank Senator JEFFORDS, Senator CHAFEE, Senator HATCH and the many others who deserve to share the credit for achieving this result, but I particularly want to thank my colleague from New Mexico and my colleague from New Jersey, who has obviously been a champion of all this for a long time. I thank them for their efforts to make a difference in the lives of working families who struggle to find safe and affordable child care.

Mr. DOMENICI. Mr. President, let me respond. We left last night from our place in the Senate from work on this without the conference report being signed—and that was the only issue. And about 10:30 last night signatures were necessary and we got half a loaf.

Mr. DODD. Thanks. I appreciate that.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I yield myself such time as I may require. I join Senator DOMENICI in thanking my colleague, Senator ASHCROFT, for his very thoughtful comments on the budget. Those of us who work on the numbers sometimes get lost in the trees and fail to see the forest. But I thought the Senator from Missouri did a very effective job in explaining why this budget is so important to the working American in the average family who sits around the kitchen table and tries to figure out how to spend their money and wonders why those of us in Washington cannot spend our money with the same kind of discipline.

Today is April 14. It is an ideal time for us to consider this final version of the budget resolution. While so many of our constituents will be staying up late tonight to finish their own income taxes before tomorrow's deadline, we look like we are going to be able to meet an April 15 deadline of our own. The Congressional Budget Act created a deadline of April 15 for Congress to adopt its budget for the upcoming year, and this year looks like it will be only the second time since the Budget Act was adopted in 1974 that we in Congress will meet the deadline and will deliver a budget on time. I am sure many of our friends and colleagues and neighbors back home will be astonished to hear that. Taxpayers, those who are carrying the load that we are distributing, have to meet their April 15 deadline every year. I can understand their amazement, why we cannot seem to meet our April 15 deadline. Meeting the deadline is a major step forward in demonstrating to our fellow Americans we can be responsible in spending their tax money. I commend Chairman DOMENICI and all the conferees on doing whatever it takes to make that happen.

Senator DOMENICI is responsible for the discipline that this budget imposes on spending. Through his good efforts and with the cooperation of the colleagues on the other side of the aisle, they even met the time deadlines that were required as well. But, as our constituents put the final touches on their tax forms, it is important they be able to read in the papers about how their taxes will be spent next year. Adopting the budget at this time amounts to full disclosure. Taxpayers are sending in their checks. We need to deliver the details of what they are buying. This year I think the taxpayers will have less cause for buyers' remorse than in the past.

I think, when the American people heard what the President proposed in February, they probably wished their tax forms carried a money-back guarantee. Just think of what the President sent us and look how far we have come. The proposal made by the President would destroy the budget discipline that has helped us balance the books. It would have actually broken the spending caps by $22 billion in new budget authority and $30 billion in actual cash outlays. The conference report we have before us keeps to the caps and keeps to the discipline the taxpayers demanded.

When you listen to the President's budget, someone might get the idea that it really presented a sound fiscal plan. That is patently false. This budget that the conferees presented us saves more of the surplus than the President over the next 5 and 10 years. That is why we will have lower debt levels than the President's proposal, from the year 2000 to the year 2009, even if one adjusts for Social Security equity purchases.

This means the President's new spending is larger than our tax cuts. You do not hear too much about that, but that is what the President proposed. We have heard great complaints about leaving options in the budget for tax relief for American families, but the President proposed to spend more than that, new spending already above what we already do. The President would spend 35 percent of the surplus over the next 5 years on programs unrelated to Social Security or Medicare. To do that, he would have to use $158 billion of Social Security's money to pay for them.

Our tax cut that we empower in this budget is smaller than the President's

new spending, which is why we felt it was essential that we save the entire Social Security surplus. The President's budget talks about 15-year budget estimates and talks about how much he would save over the extended period. When you talk about saving money down the line and spending it in the short term, I do not think you have to tell the American taxpayer what that is all about.

There is an old saying about ''a bird in the hand is worth two in the bush.'' The President front-loads his spending and says leave it to a future President to come up with more savings. I do not believe that dog hunts in my State or any other State in the Nation. That is not the way to go.

That is why I believe, when I introduced the President's budget as an amendment, for those who did not like the budget presented by the majority, the Republican budget, that the President's budget got a whopping two votes on the floor of the Senate. That was the President's budget, all his assumptions, what he wanted to do. People who said ours was so bad, our friends on the other side of the aisle, two of them voted for it. It was not a viable option. What we have presented is a good option.

The conference report, as I said, will save Social Security surpluses for Social Security. It keeps to the contract we have with our seniors and puts the ''trust'' back in the Social Security trust fund. I look forward to working with Chairman DOMENICI and, I hope, with colleagues on both sides of the aisle, to create a formal lockbox to enforce this approach.

At a time when tax revenues are at their highest level since World War II, and income taxes are at an all-time high relative to our gross domestic product, the President proposed not to reduce taxes, but to increase them. The President's budget requested increased revenues $82 billion over the next 5 years.

That is 80 different revenue raisers, 80 different increases in taxes or fees or revenues. The conference report which we have before us today goes in the opposite direction by permitting Congress to fashion responsible tax policy. We could leave in the pockets of the people who do the work, who create the jobs, who create the products, the goods and services, some $778 billion between 2000 and 2009.

I have my ideas on how we need a flatter, simpler, fairer tax that will encourage economic development, but that is not going to be debated until we get around to the actual tax provisions.

I think, however, that all taxpayers should welcome the news as they work on their tax forms today and tomorrow that there is a hope there might be a little less taxes to pay in future years. It is also important to note that not a dime of that tax relief will come at the expense of Social Security. All of it will be funded from the non-Social Security portion of the surplus.

Let me cite one specific example of where this conference report makes a significant improvement over the President's budget. On a specific program that is of great concern to me, to the people of my State of Missouri, and I believe to people throughout the country, people who are concerned about a healthy environment, who want to see clean water, who want to clean up the wastewater that could carry pollution, that could carry damaging and dangerous illnesses that despoil our natural environments and put us at risk of waterborne diseases, the President proposed to whack $550 million out of the Clean Water State Revolving Loan Fund.

This program is not a very trendy one, it is not an environmental boutique program that sounds good in a press release, but it affects Missourians whether they drink water, whether they swim, or whether they fish. It means in the future that citizens in every State of the Nation can expect cleaner water. The funding is imperative for public health protection, for environmental protection, and economic growth.

During the Budget Committee markup of the budget resolution, I said these cuts would not stand. Chairman DOMENICI was able to restore a good chunk of the President's cuts, and I thank him for that. But in this conference report, I am hopeful we can restore even more of this crucial funding.

The conference report puts an additional $1.1 billion in the overall funding category for natural resources and environment for 2000. I will be working to try to get a good part of that for the State revolving funds. That is money that goes back to the people who are building the facilities, who are operating the facilities, who have had hands dirtied cleaning up the wastewater in this country and assuring that we have safe drinking water.

As chairman of the appropriations subcommittee that handles the EPA budget, I am confident that the additional funding will be a crucial resource in restoring the funds the President slashed.

Mr. President, I am encouraged that as our constituents finish their tax returns and pay off their taxes, we do not have to be ashamed of how we will be using the money they worked so hard to provide their Government. In fact, we are going to be letting them keep a bigger portion of their money through tax relief in the future. We will protect our children and our grandchildren from the debts that come from excessive spending. We will keep our promises to retirees who depend on Social Security—all of this signed, sealed, and delivered by the April 15 deadline.

This budget will put the trust back in Social Security. If there is any surplus remaining, we can give needed tax relief to working families. It will say that we need to rescue Medicare by making the structural changes in it that are needed, not by putting in the pot more IOUs that will be future debt burdens on our children.

We also made a commitment to reform education, to put decisionmaking back in the hands of parents, teachers and local schools.

We are able to have this debate about what to do with the surplus because we have some good things going for us in this country. Our overall economic activity is good. We have relatively low unemployment. We have steady growth. We have a stock market, for those people who are interested, that has gone out of sight. Why is that so? First, I think a sound monetary policy. We have had good monetary policy. We have kept inflation under control. We have avoided the hidden tax of inflation.

Secondly, after fighting long and hard, this Congress, through its majority, has gotten the President to accept the discipline on spending, to put caps on spending so that ''if we don't got it, we ain't gonna spend it,'' to put it in the vernacular. We have caps that keep spending under control. That means, like most Americans, we will not be spending money we do not have.

Congress and the President have to sit down and decide what our priorities are going to be, to take care of priorities without saying yes to every spending opportunity that comes along. It is going to take some tough decisions, and many of those tough decisions are still coming down the pike. But you tell a family that has to live within their budget that we have to make tough choices, and they will tell you, ''So, what's new? What's different between what we have to do and what every American family has to do?'' We have to establish that discipline.

Now is not the time to abandon the discipline and go back to the old ways of runaway spending. It seemed easy in the past to spend money that we did not have, to run up the debt, but when you think about it, we were running up the debt on our children's and our grandchildren's credit cards. That debt was building up for them to pay in the future, and it had a tremendously harmful impact on our Nation's economy. Poor fiscal discipline was holding our economy back.

With the Federal Government's budget under control, with sound monetary policy, with a promise that we are going to allow the taxpayers to keep more of their money that is not needed for the work of the Government, we have the conditions to allow the strong, free market economy to continue to grow, to create jobs, to create wealth, and to provide for the families of America, for the individuals who work hard and who are the people we are to serve in this Government.

Mr. President, I am proud to have worked with Senator DOMENICI. I appreciate his leadership. I hope that my colleagues will vote on both sides of this aisle for the budget so that we can get about the business of developing spending plans that comply with the

discipline of a balanced budget, one that augers well for the future of this country.

I yield the floor and reserve the remainder of my time.

Mr. ASHCROFT. Mr. President, I commend the chairman of the Senate Budget Committee for the decisions made in this conference report that will protect the Social Security trust funds. First, it will be an honor for me to vote for this budget resolution which, for the first time in 30 years, balances the Federal budget and does so without using the Social Security surplus. Second, this budget further protects Social Security by creating a point of order against future congressional budgets which use Social Security surpluses to pay for budget deficits of the federal government.

These are great first steps to take to protect Social Security. Americans who have devoted a lifetime of working and paying their Social Security taxes deserve to have their Social Security reserved for nothing but their Social Security. That has not happened in recent years. Without reform, this practice of raiding Social Security would continue. In fact, President Clinton's budget for next year proposed using $158 billion of the Social Security Trust Fund to finance new government spending. We must stop these raids on Social Security.

The point of order included in this conference report is similar to legislation I have introduced with the chairman of the Senate Budget Committee. The Ashcroft-Domenici bill writes into law the Social Security protection point of order. This conference report puts the point of order in the House and Senate rules for this year and next, the maximum amount of time allowed under House rules. This is a wise decision, and the right step to take now. Because a budget resolution does not become law, the only option available to the budget conferees to protect Social Security was to amend House and Senate rules. I support this action.

Later this year I will seek Senate passage of my bill to put this point of order into law, to make it permanent and to strengthen it by requiring that it can only be waived in the Senate with 60 votes, a super majority. I will also support the efforts by Senators DOMENICI and ABRAHAM to win passage of their Social Security lockbox bill which uses the debt limit as an enforcement mechanism to make sure neither the President nor Congress can use Social Security to finance new deficits.

I am also pleased that the conferees included in the final bill a resolution I offered and the Senate passed expressing the Sense of the Senate that the government should not invest the Social Security Trust Funds in the stock market. The President has proposed investing as much as $700 billion of the surplus in the stock market. This is an unwise gamble to take in my view, in the view of the Senate and, in light of its inclusion in this conference report, the Congress of the United States.

Mr. DOMENICI. Mr. President, I say to the Senator from Missouri, I appreciate your leadership in protecting Social Security. After the President's budget was released and it proposed to raid $158 billion from the Social Security trust funds, you told me that Congress needed to protect Social Security. You were right. If memory serves me correctly, you introduced the first bill in the Senate this year to protect Social Security by using a point of order mechanism. I was pleased to be your first cosponsor. The inclusion in this conference report of the point of order is the first step to protect Social Security. I look forward to working with you, Senator ABRAHAM and other Senators in putting into law, not just the House and Senate rules, provisions that will further protect the Social Security trust funds.

Mr. LOTT. I join Senator DOMENICI in thanking the Senator from Missouri for his leadership on Social Security. I recall a lengthy letter Senator ASHCROFT sent me earlier this year advocating that walling off Social Security should be the top budget priority for this Congress. I also remember the bill he introduced earlier this year creating the Social Security point of order that is similar to the one in the conference report and his advocacy during Senate debate and when the bill was in conference for the final bill to include the point of order. With passage of this budget which, for the first time in 30 years, balances the budget without using Social Security and puts procedures in place to protect Social Security in the future, the Senate has made protecting Social Security a high priority. I commend Senator ASHCROFT for his efforts in protecting Social Security.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The majority leader.

ORDER OF PROCEDURE—S. 767

Mr. LOTT. Mr. President, this is an important time with a lot of very serious matters before the Senate. Obviously, we are going to be working on the budget resolution. But also, we are very much concerned about what is happening in the Balkans, we are concerned about what is happening in Kosovo, we are concerned about the impact that that is having in Macedonia and the Montenegro area, as well as countries that are not as directly impacted from a standpoint of refugees, but the impact on Albania, which obviously is housing a number of refugees, and even countries such as Romania are being affected by what we see happening there.

I think it is important that we work together in a bipartisan way to express our support for our troops, to express our support and appreciation for countries that are dealing with this influx of refugees and providing haven and humanitarian assistance working with international organizations, with military representation that has been trying to deal with this tremendous influx of refugees.

We are going to work over the next 24 hours to see if we can come together with an agreement on a bipartisan resolution expressing our appreciation and recognition for the outstanding work that is being done by our men and women of the military, by all the organizations that are helping with the refugees and for the countries that are dealing with a tremendous burden right now. But I think we should begin here at home also.

Mr. DODD. Will the leader yield to me on that point?

Mr. LOTT. Yes.

Mr. DODD. I thank the leader for those comments. It is very, very helpful, particularly coming from our leader. People who watch these floor proceedings should take note that it was a very important statement he just made. I believe he expresses the feelings of all of us here. Whatever other differences there may be, I think there is a deep sense of appreciation first and foremost for our own men and women in uniform; secondly, for the organizations that are trying to do a good job.

I particularly commend him for his comments regarding these front-line states of Montenegro, which is showing great courage in light of some very difficult pressures; Albania, which is so poor—I think about $600 a year is the annual earnings of the people—Macedonia, about $1,300 a year, a small country with almost 200,000 refugees now. And particularly he mentions Romania and Bulgaria, which is very important as well.

This ought to be heartening news to these governments and to the people of these countries that it has not gone unnoticed in our country what a tremendous job they are doing handling a problem they did not ask for, flooded by a sea of humanity that needs a lot of help. We are deeply grateful to them. And I am hopeful the leader is right. I certainly want to work with him and anyone else who is interested to see if we can put some language together which would enjoy unanimous backing by all of our colleagues, to speak with one strong, solid voice about how much we appreciate their efforts, the efforts of our service men and women, and the common determination to end this crisis and get these people back to Kosovo.

So I thank him.

Mr. LOTT. Mr. President, I thank the Senator from Connecticut. I always enjoy working with him. He is absolutely right in repeating the need for us to express our appreciation to our military men and women and to continue our commitment to the humanitarian effort that is underway and express our appreciation to the front-line states that are there dealing with this problem and the cost of the problem in a very serious way. We will work to see

if we can express that appreciation and concern.

But I want to emphasize that we have our own military men and women who are doing a magnificent job. All of our Senators and House Members who have gone to the region, who have gone to Brussels and have gone to Aviano or been in Albania or Macedonia, have come back saying what a magnificent job our military men and women have been doing.

But it has gone now beyond our active-duty pilots and men and women who are involved in the exercise there. It now involves Reserve unit members, National Guard, volunteers. We have Air Guard members that are now flying the refueling aircraft that are helping in that effort. And they have been called up unexpectedly with very little notice.

Now you have spouses that are in the region that did not have time to file their income tax return, and tomorrow is the infamous day. Tomorrow is April 15. And like so many Americans, I will file my return tomorrow and send my check along with the return, which is a very unhappy situation. But we have military men and women who are doing their duty for their country that were unexpectedly, and on very short notice, called up. And you have their spouses now scrambling, trying to perhaps deal with filing their income tax returns tomorrow, the 15th.

We have legislation now moving through the House that has been through the Ways and Means Committee that will be coming to the Senate later on today or tomorrow, and we have legislation that has been prepared in the Senate now that would give, I believe, a 60-day extension on filing returns to our military men and women that have been called up for this service to our country.

There may be some other provisions that have been cited, too, that should be outlined. It exempts U.S. troops serving in the Yugoslavia theater from being taxed on the hazardous duty pay. It grants our troops a 180-day filing extension on their 1998 income tax returns after their return from duty in the combat zone designated by the President and exempts our troops from the 3-percent excise tax levied on long distance telephone calls, which I am sure they are making now to assure their families that they are in the area and they are safe and they are doing their job. So it is more than just a 60-day extension.

I think it is the right thing to do. It is the fair thing to do. And it is important we do it today and make it clear that we are going to complete this action when the House bill comes over. That may be later on today or tomorrow. But if we do not make it clear that we are going to do it today, and if we do not get it done tomorrow, these families are going to be under the duress of either not filing on time, as the law requires, or asking for an extension, which a lot of Americans are hesitant to do.

So I think it is important that we prepare the way to get this legislation completed today, or not later than tomorrow, and make it clear to the families of our service men and women that are in the zone that they are going to have these benefits and this extension of time.

In that vein, then, I do have a unanimous consent request that we have been trying to get cleared, I hope we can get cleared, because we need to do this. And then we can get this behind us and we can move on to another resolution.

So I ask unanimous consent that——

Mr. DODD. Before you do that——

Mr. LOTT. I would withhold.

Mr. DODD. Can I make a suggestion? There is one Member, I think, who has some questions they may want to raise—let me put it in those terms—before you propound it. I would personally prefer if you could hold up for a couple minutes until they get here. Maybe we can work something out with them.

Mr. LOTT. All right.

Mr. DODD. Other than that, I have been asked, on behalf of someone, to raise an objection. I prefer they were here to make their case if that is what they want to do. So if maybe we can wait 5 minutes.

Mr. LOTT. If we don't wait just a minute, you would have to object, and you prefer not to object; is that it?

Mr. DODD. You just hit it right on the head.

Mr. LOTT. I would certainly be prepared to honor that. Again, I hope we could work this out. I am worried on this, like I am on the other language we have been working on. We have a lot of very bright Senators that can come up with some wonderful amendments and it could go on endlessly and we could get into some very controversial amendments. No Senator—no Senator—would object to what is in S. 767 or the bill that will be coming over from the House.

Mr. DODD. I think most of us are cosponsors.

Mr. LOTT. Nobody would object to that. Therefore, we want to lock it in. There may be other issues Senators would like to object to. I would like to say to them, there will be other bills, there will be other ways. It will give us time to focus on something that would be an expression of our appreciation and our commitment to be of assistance to not only our military men and women that are there in the area but to those that are dealing on the international basis with humanitarian needs for these front-line states.

I think we can do both. But as is usually the case, you need to do one and then the other. And so I am trying to find a way to achieve both of those.

Mr. DODD. If the leader would yield further, I appreciate him showing some patience here. This is, I think, a very good idea. By the way, I am a cosponsor of the proposal here to do this for our service men and women. I had the pleasure of being with a group of them last Friday and Saturday at Ramstein Air Force Base and flew with a crew on a C–130, a 4-hour flight from Germany down to Macedonia. And they were terrific young men and women. In the cockpit were men and women. The navigator was a woman. There were two pilots, the engineers, the crew.

Mr. LOTT. Was that Reserve or National Guard duty?

Mr. DODD. These are permanent, regular Army and Air Force people.

Mr. LOTT. Permanent, regular duty.

Mr. DODD. They do a fabulous job. And I think it is one way of saying to them how much we appreciate what they are doing. I guess by executive order, I gather, the President has issued some orders on this as well.

Mr. LOTT. The President has expressed his desire to do this. He made that commitment, I believe, in Louisiana. Was it Barksdale Air Force Base? And he has taken some action, some executive order, but he cannot, by executive order, do what we are doing. It takes a change in the law or a revision in the law in order for these things to occur. So it is a supplement to, in addition to, what he has already done by executive order.

I yield, if I might, if I still have the floor, to Senator COVERDELL.

Mr. COVERDELL. First, I associate myself with the remarks of the leader and the Senator from Connecticut on Macedonia, Albania, Bulgaria, and Romania. We have only begun to assess the impact. You can see on television what is happening in Macedonia and Albania. But you can't see it in Romania and Bulgaria. It is very important, and we are attentive and appreciative to these second-tier states that are affected by these actions.

The point I want to make, Mr. Leader, on this issue that you just addressed, is that the clock runs out. There is no other issue we are talking about, including the one we all share on Macedonia, that has a time clock over its head.

If this could be done tonight, tomorrow is the 15th, we send immediate comfort to these thousands of families scrambling, as all of America is, by tomorrow. We ought not to leave another night lingering of question and unknown measures for all these families. It ought to be settled tonight.

There is not another issue I have heard talked about here that has that kind of deadline on it and a discomfort ramification. This is comfort for the families that we all think of every minute of every day now, and it really ought to be apart from some of these other things.

I appreciate the Senator from Connecticut recognizing that, and I wanted to say so.

Mr. LOTT. Mr. President, if I could describe this unanimous consent, what it will do is provide for an hour of debate equally divided, of course, so that Members could comment on the actual content in S. 767. This is the critical

part. It will also say, this unanimous consent agreement, that when the House language comes over, then the House bill would be read for a third time and a vote on passage of the House bill, without any intervening language, motion or debate. So it in effect locks in the guarantee that this is going to be done by tomorrow. Our people will have that guarantee by the Senate by this unanimous consent agreement tonight. That is what I would like to do.

If it would be helpful to the Senator from Connecticut, I do not know if other Senators are seeking recognition now, we could wait just a moment more. I will notify the Senate that I would be prepared to make this unanimous consent request as soon as we can get further Senators on the floor.

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

The PRESIDING OFFICER (Mr. ABRAHAM). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT AGREEMENT—S. 767

Mr. LOTT. Mr. President, I ask unanimous consent that at a time to be determined by the majority leader, the Senate proceed to the consideration of Calendar No. 90, S. 767, under the following limitations: 1 hour of debate on the bill equally divided in the usual form; that no amendments to the Senate bill are in order.

I further ask that at the conclusion or yielding back of time, the bill be placed back on the calendar; that then the House bill, which is the text of H.R. 1376 as printed in the RECORD, following consent, be read a third time and a vote occur on passage, all without any intervening action, motion or debate.

If I could explain, before the Chair rules on this, this is the bill that would provide relief for our military men and women who are now—many of them—unexpectedly on short notice serving in the zone where the bombing is occurring, to have these tax benefits and lock this in so that they know, today, that they will be able to count on that change.

That is my request.

The PRESIDING OFFICER. Is there objection?

Mrs. BOXER. Reserving the right to object, and I do not plan to object, I want to have an opportunity to let the Senate know I have been trying to work with my friends to get a very straightforward sense of the Senate attached to the Senate bill that would simply say that the armed services would do everything in their power to ensure that where there is a child of a military couple, that the husband and wife are not deployed into a combat zone. This is something that we have done in the past—during the gulf war—after we found out that, indeed, we did have a mom and dad in a combat zone together. I think it is very appropriate, as we give benefits to our brave men and women, that we protect the children at the same time.

As I understand it, we are going to discuss the Coverdell bill, but we will actually pass the House bill. I ask my leader if that is, in fact, the case? If there was a Senate bill, I would object, because I would like the opportunity to have this particular Senator's amendment included, but understanding that it will be the House bill, I won't stand in the way. Do I have the assurance that the vote will be on the House bill?

Mr. LOTT. That is correct.

Mrs. BOXER. Then I will not object.

I look forward to working with my friends to ensure that we can protect the children of our brave men and women in the armed services.

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

Mr. LOTT. I am happy to yield to the Senator from Georgia.

Mr. COVERDELL. I want to respond briefly to the Senator from California. Of course, the question has been answered. Frankly, I have personal sympathy for the language in your proposal. The Senator from California understands the complexities of this institution as well as anybody. It is being run through the committee of jurisdiction. I don't know what their response will be. I want to make a point there is a clock ticking. Nothing else we are talking about has a finite conclusion, which was why I wanted to do what we could do to get this done, so that the comfort—I think yours relates to comfort, too—can be settled for all the families because they are busily trying to comply with this tonight. I think this sends a message to all of those troops, their spouses, and their Nation that this is, indeed, going to happen.

Mrs. BOXER. If my friend will yield, I appreciate that. I am fully supportive of the legislation. I look forward to voting for the legislation.

I am only saying as we look to the financial burden of our men and women in uniform and as we look at these refugees and the way those kids look at their parents, it is no different from our families here when there is a disruption in family life.

I look forward to working with my friend to see that we can at some future time, very soon—because it could happen soon; they are talking about calling up the Reserves now in the Air Force—that we would protect those children and those families. We don't want to have a child go through the trauma of losing a mother and father in a combat zone. We don't have to do that.

I thank the Senator very much for his cooperation. I look forward to working with him on this matter.

MORNING BUSINESS

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate 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.

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

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

TAXES

Mr. DORGAN. Mr. President, today is April 14 and tomorrow is April 15. That means tomorrow there will be a good many Americans who will finish their tax return preparation, go to the post office and drop it in the mailbox in order to get an April 15 date stamped on it to comply with the tax laws in this country. It is never a pleasant thing, and I know most people grit their teeth and wring their hands about the responsibility of having to file income tax returns. But most Americans do that because they know that we have needs and obligations in this country to pay for a defense establishment, to pay for roads, to pay for schools—to pay for the cost of civilization, in effect.

However, not everybody pays their fair share of U.S. income taxes, not everybody pays their way. Today, I am releasing a United States General Accounting Office report that was done at my request. This GAO report, which I hope Members of the House and Senate will read, has some rather startling conclusions in it. At about the time most Americans will file their tax return and pay the tax bill that they owe, this GAO report says there are plenty of special interests in this country that don't pay anything—earn a lot of money, but don't pay any taxes. They are not taxpayers. Let me describe what this GAO report says. The GAO report says that 67 percent of the foreign controlled corporations doing business in the United States—67 percent—pay no U.S. income taxes at all. Zero in Federal income taxes. In the first half of this decade, the General Accounting Office says that the percent of foreign-based corporations doing business here and paying no U.S. income taxes has ranged from 67 percent to 74 percent. The GAO report also shows that U.S. controlled companies fared little better.

Now, that represents all corporations filing a U.S. tax return. Let's just deal with large corporations. That is, corporations defined by the GAO as having at least $250 million in assets, or $50 million or more in sales; that is a large

company. About 30 percent of both the large foreign controlled and U.S. controlled corporations doing business this country paid no U.S. income taxes—despite having more than $1 trillion in sales here in 1995, the latest year for which statistics are available.

In 1995, the large foreign controlled corporations that did pay some U.S. income taxes on the profits they made—and some did, the General Accounting Office says they paid taxes at a rate that was just about one-half of the rate paid by the large U.S. corporations paying federal income taxes on their profits here.

Now, I bring this to the floor of the Senate simply to say this: There is still substantial tax avoidance in this country, and it is not tax avoidance by working folks, by people who get up in the morning and go to work at a job for 8 or 10 hours a day; they aren't avoiding their tax responsibilities, because they can't. They must file tax returns. They have withholding on their wages and they must meet their citizenship requirements in this country.

As we near April 15, one day away, and the American people are filing tax returns, it is reasonable for them to ask, when they hear what is within the cover of this GAO report, why do they not see some of the largest economic interests that make hundreds of millions of dollars, and in some cases billions of dollars—why don't they see those economic interests as taxpayers in this country?

The GAO, some while ago, and other reports, said that one automobile maker, a foreign car maker, sold $3.4 billion worth of automobiles in this country and paid zero in Federal income taxes. The Presiding Officer is from a State that would care about that, the State that makes more cars, I suspect, than any other State in our country, where most major car manufacturers are located. So how, one would ask, could a foreign company come in and sell $3.4 billion worth of automobiles and say that ''we want all the advantages and to enjoy all the opportunities the American marketplace can give us, but we don't want to become taxpayers in your country''? How does that happen? Because we have a tax law, in my opinion, that deals with international corporations that do business all around the world in a way that allows them to jump through massive tax loopholes and, as this report says, hundreds of billions of dollars and more of sales in this country and then claim to the U.S. Government that they don't owe one penny in income taxes.

There is something fundamentally wrong with that system. I am going to come to the floor to speak later about what causes all this and what we can do about it. But I did want to disclose the GAO report today that says this problem isn't getting better. They did this report for me 4 years ago. I asked them to renew it and update it. They have done that. The report says this problem isn't getting better. What we have is, according to some folks, $10 billion, $20 billion, $30 billion—and one report estimates $35 billion—in taxes that should be paid to the Federal Government by these international corporations, but that is in fact not paid.

The only way you can retain a tax system of the type we have in this country is to have voluntary compliance—that is, to have most people complying because they know they have a responsibility to do so. People will not voluntarily comply with a tax system that they think is unfair. It certainly is unfair to those working families in this country, who make $25,000, $35,000, $55,000, $75,000 a year and work hard and send their kids to school and pay their bills and stretch budgets to make ends meet, and at the end of the year they have to file a tax return and pay the Federal income taxes. It is not fair to them and it certainly erodes their confidence in this country and in the tax system to see some of the largest international corporations doing business in America saying, ''We want all the advantages of being able to do that, except we don't want to be a taxpayer.''

I say to those corporations, if you get in trouble, whose Navy are you going to ask for to bail you out? I know the answer and so do you. If you are going to do business here and make profits in this country, you have a responsibility to help pay for that Navy and the many other things we do in this country that make it a wonderful place in which to live.

I might just mention some of the ways in which these companies avoid paying taxes, just because some people might wonder how this happens. It happens through massive tax avoidance schemes called ''transfer pricing.'' A foreign corporation decides to do business in the United States. It sets up a wholly-owned subsidiary. It manufactures in a foreign country, ships it to this country, and then either overcharges or undercharges itself, depending on which way the product is going, in order to make sure there is no profit shown in this country from its activities in the United States. The result of gaming that system and preventing the tax collectors at the IRS from seeing what they really made is that they are able to cart off their profits from this country and avoid paying any taxes at all.

On April 15, tax day, every American ought to scream at the Congress and the tax collection agency to say that we ought to fix this and we ought to do it soon. How do we fix it? Well, it is interesting that even at a time when GAO is doing this report that shows we have massive tax avoidance through transfer pricing—even at this time, this problem is getting worse because Congress, at virtually every opportunity, the kind of folks who think about these things are slipping little things into bills every chance they get to make this problem worse. They just did it last fall in a revenue bill with a juicy little tax break worth a couple hundred million dollars. With no debate and no hearings, they just stuck it in the middle of that bill. It added to the proposition that more companies will do business, make profits here and pay no taxes here. We have a responsibility to fix that.

So I appreciate the work the GAO has done. I intend to encourage them to keep doing this work to show us who is paying taxes and who isn't. Guess what? The working American families are paying taxes. They don't have any choice. They may not like it, but they understand the advantages of living in this country and what we must pay for for ourselves and our children—defense, schools, roads and more.

If the working families in this country voluntarily comply with this tax law—and they do—then I suggest it is time to ask some of the largest international corporations selling brand names that every single one of us knows to start doing the same thing.

I am going to bring a report to the floor in the coming days that talks about transfer pricing in ways that everybody will understand. I will talk about corporations selling to themselves radial tires for $2,570 and a tooth brush for $172. Why would companies sell a tooth brush for $172 to themselves? So they can soak profits in one direction or another and prevent the Federal Government in this country from taxing their profits. There are massive schemes of tax avoidance. How about a piano for $50? Sound good? I am going to talk about the kind of tax avoidance schemes that goes on as a result of this transfer pricing, which results, by the way, in this kind of study, which says, in conclusion, the largest international corporations in this country—yes, domestic corporations doing business overseas and foreign corporations doing business here are involved in massive tax avoidance. We have a responsibility to the American people to stop it. This is not rocket science. It is simply standing up to the largest economic interests, to say to them you have the same responsibility in this country as individual taxpayers.

You have the same responsibility in this country as the average working family has, and that is, you do business here, you profit from this system, you have a responsibility to contribute, to pay taxes. When you do not do it, we ought to change the law and certainly improve enforcement and make sure you do do it, because that is the fair way to make sure a tax system works for everybody.

Mr. President, with that I will be back on a succeeding day to talk more about transfer pricing. But I wanted to bring to the attention of my colleagues and others the GAO report that is released today that describes what I think is a rather dismal conclusion about massive tax avoidance by some of the largest taxpayers in the world, doing business in this country, making

substantial profits, and avoiding the responsibility of paying their fair share of Federal income taxes.

Mr. President, I yield the floor.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, April 13, 1999, the Federal debt stood at $5,666,223,263,670.85 (Five trillion, six hundred sixty-six billion, two hundred twenty-three million, two hundred sixty-three thousand, six hundred seventy dollars and eighty-five cents).

One year ago, April 13, 1998, the Federal debt stood at $5,545,139,000,000 (Five trillion, five hundred forty-five billion, one hundred thirty-nine million).

Five years ago, April 13, 1994, the Federal debt stood at $4,567,992,000,000 (Four trillion, five hundred sixty-seven billion, nine hundred ninety-two million).

Ten years ago, April 13, 1989, the Federal debt stood at $2,771,862,000,000 (Two trillion, seven hundred seventy-one billion, eight hundred sixty-two million).

Fifteen years ago, April 13, 1984, the Federal debt stood at $1,486,811,000,000 (One trillion, four hundred eighty-six billion, eight hundred eleven million) which reflects a debt increase of more than $4 trillion—$4,179,412,263,670.85 (Four trillion, one hundred seventy-nine billion, four hundred twelve million, two hundred sixty-three thousand, six hundred seventy dollars and eighty-five cents) during the past 15 years.

TRIBUTE TO ELIZABETH K. BUNCH

Mr. STEVENS. Mr. President, tomorrow, April 15, marks the last day of Senate service for Elizabeth K. Bunch. I have known Betty since 1987, when she worked as a professional staff member for me when I was on the Rules Committee and was ranking member. I thank her, on behalf of the entire Senate, for her many years of service.

She was born and grew up in Laramie, WY. After raising a family and having a career working as the assistant to the dean of the graduate school at the University of Wyoming, Betty came to Washington in 1977.

In her first year here, Betty was the special assistant to then newly elected Senator Malcolm Wallop, a good friend. Although she intended to stay in Washington for only 1 year, Betty spent 10 years working as an office manager and special assistant for our distinguished former colleague.

In 1987, Betty moved to the Rules Committee where she worked for me in so many important committee responsibilities, including overseeing information technology initiatives.

In 1991, Betty joined the staff of the Sergeant at Arms. There she was first the ''ombudsman'' for the Senate Computer Center, and then the coordinator for the consolidation of Sergeant at Arms offices in the Postal Square Building. Betty became the liaison between Postal Square and the Superintendent's office. She also formed the SAA Safety Office and did the FEMA coordination, the Federal Emergency Management Agency coordination, new Senator transition coordination planning, all maintenance coordination, and the multitude of necessary supporting operations for the Sergeant at Arm's employees. She served for five Sergeants at Arms.

The Senate and all its employees who serve our great institution owe Betty Bunch a debt of gratitude. I am very proud to have worked with her. I know my colleagues join me in wishing her a wonderful retirement.

FAIRNESS FOR LEGAL IMMIGRANTS ACT OF 1999

Mr. KENNEDY. Mr. President, I urge my Senate colleagues to support the Fairness for Legal Immigrants Act in order to restore the benefits unfairly eliminated by the 1996 welfare law.

In 1996, Congress passed a so-called welfare reform law that drastically restricted the ability of legal immigrants to participate in public assistance programs. For the first time in history, legal immigrants were cut off from most federal aid. The law barred them from food stamps, SSI, and other benefits. It banned them for 5 years from AFDC, Medicaid, and other programs and gave states the option to permanently ban them from these programs.

These provisions have had a devastating effect on immigrant families. Elderly and disabled immigrants were notified that they would be turned out of nursing homes or cut off from disability payments. Some even took their own lives, rather than burden their families. Far too many human tragedies have resulted from the law.

Fortunately, many Members of Congress realized that the provisions had gone too far, and we passed legislation in the past two years to restore benefits for many. The Balanced Budget Act of 1997 and the Agricultural Research Act of 1998 restored eligibility for Medicaid, SSI and Food Stamps for hundreds of thousands of legal immigrants.

Nevertheless, many immigrants who came here legally are still suffering from restrictive provisions that remain in effect. The Fairness for Legal Immigrants Act is needed to bring back this safety net for immigrants who fall on hard times, especially those who are in great need, such as pregnant women, children, the elderly, the disabled, the poor, and victims of abuse.

The Act will permit states to provide Medicaid to all eligible legal immigrant pregnant women and children. It will permit states to extend Medicaid to ''medically needy'' legal immigrants who are disabled but not on SSI. It will permit states to cover legal immigrant children under CHIP, if they are also providing Medicaid coverage for legal immigrant children.

For legal immigrants who arrived before August 1996, the Act will restore SSI eligibility for those who are elderly and poor, but not disabled by SSI standards. It will also restore food stamp eligibility to all legal immigrants who have not yet had their eligibility restored, primarily parents of poor children.

For legal immigrants who arrived after August 1996, the Act will restore SSI eligibility for those who become disabled after reaching the United States. Finally, the Act will exempt post-August 1996 legal immigrants who are victims of domestic or elder abuse from the five-year ban on Medicaid and welfare assistance, and restore their eligibility for SSI and food stamps.

These reforms are essential in order to fulfill our obligation to those who legally entered our country. Many of them are family members of American citizens. They play by the rules, pay their taxes, and deserve a fair chance to become citizens and build new lives for themselves and their families in America.

I urge the Senate to support this important legislation, and I look forward to its early enactment.

TRIBUTE TO JAMES Q. CANNON

Mr. HATCH. Mr. President, I rise today to recognize and pay tribute to James Q. Cannon, a fellow Utahn who has served as a distinguished leader in the health care quality movement for over twenty-five years.

Those of us who know Jamie recognize his tireless efforts to ensure that the thousands of seniors, the underprivileged, and other vulnerable citizens receive the highest quality medical care possible.

As President and Chief Executive Officer of HealthInsight, a community-based quality improvement organization in Utah and Nevada, Mr. Cannon has dedicated his life's work to fostering collaboration and continuous learning among health care providers, policy makers, consumer, and business leaders.

These efforts have enabled physicians and other health care professionals to respond more effectively and humanely to the many needs of their patients and have helped the best in health care science and research to become part of the usual practice of medicine.

Jamie Cannon's vision and pioneer spirit have assisted in bringing hundreds of people together annually to learn, discuss, and implement community-wide health care quality improvement strategies. His commitment to improving the delivery of health care has been a driving force behind countless successful efforts in our communities to prevent unnecessary illness, to reduce complications associated with chronic disease, to improve care delivery processes and outcomes, to simplify health care administration, and to develop sound, supportive government policies.

Over the years, these successes have touched in one way or another, virtually all aspects and settings in

health care—from government policy development to evaluations of program effectiveness, from pediatric care to end-of-life care, and from hospitals to physician offices.

In addition to his service to the people of Utah and Nevada, Jamie has led and supported initiatives to evaluate and improve the quality of medical care delivered to all Americans. He has served as a member of the board of directors of the American Health Quality Association, an association representing a national network of organizations and individuals striving to improve the health care delivered in every state in our nation.

Mr. Cannon has also chaired numerous committees and task forces at the national level, providing leadership and direction to other health business executives committed to improving the quality of clinical medicine.

In addition to providing a legacy of health care quality leadership regionally and nationally, Jamie has also influenced the lives of many others in the community. He is a devoted husband, father of ten children, son and brother. Throughout his life, Jamie has also given generously of his time to those in need through lay service in his church.

Jamie's genuine care and concern for others is apparent in every interaction. His boundless optimism and belief in human goodness engenders trust, rekindles hope, and nurtures vision in all those around him.

Mr. Cannon's leadership and service are respected and admired by his peers, employers, business associates, friends and neighbors, and family. I am proud to know Jamie. He deserves the recognition and appreciation of Congress, the Nation, and particularly the citizens of Utah and Nevada.

With honor and pride I ask my colleagues to join me today in recognizing and expressing appreciation to James Q. Cannon for his many contributions to quality health care in our country.

WORK INCENTIVES IMPROVEMENT ACT

Mr. REED. Mr. President, I rise today to highlight the concerns of some of my constituents who are participating in an adult basic education program conducted by the ARC of Northern Rhode Island.

Earlier in this session, John Mullaly, on behalf of his classmates, wrote to me to express his concerns regarding the use of the word ''handicapped''.

Mr. President, individuals who live with disabilities are one of the nation's great untapped resources. They have much to contribute, and they deserve to be fully integrated into every aspect of society. I am proud that so many of my colleagues share this point of view and that 70 senators have joined in cosponsoring S. 331, the Work Incentives Improvement Act, legislation that allows individuals with disabilities to join the workforce while maintaining their health benefits under Medicare or Medicaid.

As we debate this and other related legislation in the Senate, I hope that my colleagues will also consider the vocabulary we use. Mr. Mullaly and his classmates have suggested that we replace the term ''handicapped'' with the phrase ''persons with physical/mental challenges''. Mr. President, I ask unanimous consent that the text of Mr. Mullaly's letter be printed in the RECORD.

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

THE ARC OF NORTHERN RHODE ISLAND,
February 2, 1999.

Senator JACK REED,
Providence, RI.

DEAR SENATOR JACK REED: We are students of Adult Basic Education at the ARC of Northern Rhode Island. We believe that everyone should be treated equally and be given the chance to be the best that he or she can be. No one should suffer discrimination. We know you agree with this. We are trying to educate the general public and we need your help.

We are trying to tell them that it discriminates against us to refer to us as ''handicapped''. It is not an appropriate word because it puts a stigma on us and a limit as to what we can do. It is incredible what we can do and we would prefer to be referred to as persons with physical/mental challenges. We will take the challenge! That term gives us inspiration to meet our goals. What are our goals? To be the best we can be, to give others love, kindness, and inspiration. Also, to protect the rights of others like us, and to educate the public.

Will you help us? Will you work towards using the new terminology on signs in public places? We would also like suggestions from you on how we can help bring this about and protect the integrity of all concerned.

Sincerely,

JOHN MULLALY, SPOKESPERSON,
Adult Basic Education Classes.

WATER RESOURCES DEVELOPMENT ACT OF 1999

Mr. CHAFEE. Mr. President, on March 23, 1999, the Committee on Environment and Public Works filed S. 507, the Water Resources Development Act of 1999, accompanied by Senate Report 106–34. At that time, the analysis prepared by the Congressional Budget Office was not available, and therefore was not printed with the report. The analysis subsequently has been received by the committee and I now ask unanimous consent, pursuant to section 403 of the Congressional Budget and Impoundment Act, it be printed in the RECORD.

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

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, April 14, 1999.

Hon. JOHN H. CHAFEE,
Chairman, Committee on Environment and Public Works, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 507, the Water Resources Development Act of 1999.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Victoria Heid Hall (for the effects on outer continental shelf receipts) and Gary Brown (for all other federal costs), both of whom can be reached at 226–2860, and Marjorie Miller (for the state and local impact), who can be reached at 225–3220.

Sincerely,

DAN L. CRIPPEN,
Director.

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

S. 507—Water Resources Development Act of 1999

Summary: S. 507 would authorize the appropriation of about $2.3 billion (in 1999 dollars) over the 2000–2009 period for the Secretary of Army, acting through the Army Corps of Engineers, to conduct studies and undertake specified projects and programs for flood control, port development, inland navigation, storm damage reduction, and environmental restoration. Adjusting for anticipated inflation, CBO estimates that implementing the bill would require appropriations of $2.5 billion over that period. The bill also would authorize:

Prepayment or waiver of amounts owed to the federal government;

Spending a portion of the fees collected at Corps recreation sites;

Free use of sand, gravel, and shell resources from the outer continental shelf (OCS) at eligible projects by state and local governments; and

Sale of specified federal lands in Washington and Oklahoma.

CBO estimates that implementing S. 507 would result in additional outlays of about $1.9 billion over the 2000–2004 period, assuming the appropriation of the necessary amounts. The remaining amounts authorized by the bill would be spent after 2004. Enacting the bill would affect direct spending; therefore, pay-as-you-go procedures would apply. CBO estimates that enacting S. 507 would reduce direct spending by $18 million in 2000 and would result in a net increase in direct spending of $6 million over the 2000–2004 period.

S. 507 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). State and local governments would likely incur some costs as a result of the bill's enactment, but these costs would be voluntary.

Estimated cost to the Federal Government: The estimated budgetary impact of S. 507 is shown in the following table. For constructing, operating, and maintaining projects that are already authorized, CBO estimates that the Corps will need about $4 billion annually over the 2000–2004 period (roughly the level appropriated in 1999). The table shows the estimates of additional spending necessary to implement the bill. The costs of this legislation fall primarily within budget function 300 (natural resources and environment).

	By fiscal years, in millions of dollars—				
	2000	2001	2002	2003	2004
CHANGES IN SPENDING SUBJECT TO APPROPRIATION					
Estimated Authorization Level	478	558	485	321	185
Estimated Outlays	239	446	510	414	278
CHANGES IN DIRECT SPENDING					
Estimated Budget Authority	−18	6	6	6	6
Estimated Outlays	−18	6	6	6	6

Basis of estimate: For the purpose of this estimate, CBO assumes that S. 507 will be enacted by the end of fiscal year 1999 and that all amounts estimated to be authorized by the bill will be appropriated for each fiscal year.

Spending subject to appropriation

Estimates of annual budget authority needed to meet design and construction schedules were provided by the Corps. CBO adjusted the estimates to reflect the impact of anticipated inflation during the time between authorization and appropriation. Estimated outlays are based on historical spending rates for activities of the Corps.

Direct spending

Prepayments and Waivers of Payments. S. 507 would authorize the state of Oklahoma to pay the present value of its outstanding obligation to the United States for water supply. CBO estimates that, if the bill is enacted, a prepayment of about $20 million would be made in 2000 and that payments forgone would be about $2 million a year over the 2000–2033 period. The bill would authorize the Corps to waive payments from the Waurika Project Master Conservancy District and the cities of Chesapeake, Virginia, and Moorefield, West Virginia, for other projects. CBO estimates that under current law, payments from these entities would total less than $500,000 annually over the 2000–2031 period.

Spending of Recreation Fees. S. 507 would authorize the Corps to retain and spend each year any recreation fees in excess of $34 million. At present, all recreation fees are deposited as offsetting receipts in the Treasury and are unavailable for spending unless appropriated. By allowing the Corps to spend receipts in excess of $34 million, this provision creates the possibility of new direct spending. CBO's baseline projection of receipts is $36 million a year. Allowing for the possibilities that receipts could be either more or less than that projected level, we estimated that the expected value of additional spending from enacting this provision is about $3 million a year.

Using Outer Continental Shelf Sand and Gravel. S. 507 would amend the Outer Continental Shelf Lands Act to allow nonfederal entities to use—without charge—sand, gravel, and shell resources from the outer continental shelf for shore restoration and protection programs and certain other construction projects if such projects are subject to an agreement with the Corps. Under current law, the Department of the Interior (DOI) cannot charge other federal agencies for the use of these OCS resources. Section 211 would extend free use of the resources to nonfederal interests, including state and local governments, for the type of projects specified in the bill. Based on information from DOI, CBO estimates that exempting these projects from fees for OCS sand, gravel, and shell resources would result in forgone receipts of about $1 million each year. Proceeds from the sale of this material are recorded as offsetting receipts to the Treasury; thus a loss of these receipts would increase direct spending.

Sales of Land. S. 507 would direct the Corps to sell at fair market value land that was acquired for the Candy Lake Project in Osage County, Oklahoma. The land was acquired in the mid 1970s at a total cost of about $2 million. Accounting for inflation, CBO estimates the current value of the land at about $4 million. CBO anticipates that the lands could be sold in fiscal year 2000. Annual lease payments and other revenues accruing to the federal government from these lands are not significant.

CBO anticipates that sale proceeds would be counted for pay-as-you-go purposes. Under the Balanced Budget Act, proceeds from nonroutine asset sales (sales that are not authorized under current law) may be counted for pay-as-you-go scorekeeping only if the sale would entail no financial cost to the government.

S. 507 also would direct the Corps to transfer lands located in Clarkston, Washington, to the Port of Clarkston. The Port would not be required to pay for the lands as long as they are used for recreation purposes. The fair market value of the lands are estimated at slightly less than $2 million. Based on information provided by the Corps, CBO anticipates that the lands would continue to be used for recreation purposes after conveyance and that no consideration would be required. The Port currently leases the lands from the United States without cost.

Pay-as-you-go considerations: The Balanced Budget and Emergency Deficit Control Act sets up pay-as-you-go procedures for legislation affecting direct spending or receipts. The net changes in outlays that are subject to pay-as-you-go procedures are shown in the following table. (The bill would not affect governmental receipts.) For the purposes of enforcing pay-as-you-go procedures, only the effects in the current year, the budget year, and the succeeding four years are counted.

	By fiscal years, in millions of dollars—										
	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Changes in outlays	0	−18	6	6	6	6	6	6	6	6	6
Changes in receipts	Not applicable										

Estimated impact act on State, local, and tribal governments: S. 507 contains no intergovernmental mandates as defined in UMRA. State and local governments that choose to participate in water resources development projects and programs carried out by the Corps would incur costs as described below. In addition, some state and local governments would benefit from provisions in this bill that would alter their obligations to make payments to the federal government and order transfers of land.

Authorizations of new projects

CBO estimates that nonfederal entities (primarily state and local governments) that choose to participate in the projects authorized by this bill would spend about $1.3 billion during fiscal years 2000 through 2011 to help construct these projects. These estimates are based on information provided by the Corps. I addition to these costs, nonfederal entities would pay for the operation and maintenance of many of the projects after they are constructed.

Changes in cost-sharing policies

S. 507 would make a number of changes to federal laws that specify the share of water resources project costs borne by state and local governments. Section 202 would increase the nonfederal share or recurring costs associated with new coastal shore protection projects from 35 percent to 50 percent. This change would not affect the construction of these projects. Some state and local governments would find it easier to satisfy matching requirements for specific projects as a result of provisions in S. 507 that would allow additional in-kind contributions or expand the range of expenditures counted towards the required match. Other provisions in the bill would expand the opportunities for state and local governments to participate in water resources projects.

S. 507 includes several provisions that would alter the repayment obligations of specific state and local governments, either by allowing the prepayment of amounts owed or by waiving amounts owed under current law.

New programs

S. 507 would authorize several new programs that would assist state and local governments. Specifically, the bill would authorize total appropriations of $75 million for fiscal years 2000 and 2001 for a program to reduce flood hazards and $30 million for the same period for activities to protect and enhance fish and wildlife habitat of the Missouri River and the middle Mississippi River. State and local governments choosing to participate in these programs would have to provide 35 percent of the initial cost of any funded project and all the subsequent operation and maintenance costs. The bill also would authorize a program of technical assistance for the purpose of developing and evaluating measures to keep fish from entering irrigation systems. State and local participants in this program would be required to contribute 50 percent of the cost of such assistance.

State and local governments would benefit from a provision in S. 507 that would allow them to negotiate agreements with DOI to use sand, gravel, and shell resources from the outer continental shelf for eligible projects at no charge.

Conveyances

S. 507 would allow the state of Oklahoma and the Port of Clarkston, Washington, to take title to land and facilities now owned by the federal government. Both could be required to pay the costs necessary to complete these conveyances, should they choose to take the property. The conveyances would be voluntary on the part of these governments.

Estimated impact on the private sector: This bill contains no new private-sector mandates as defined in UMRA.

Estimate prepared by: Federal Costs: OCS receipts—Victoria Heid Hall. All other costs—Gary Brown. Impact on State, Local, and Tribal Governments: Majorie Miller.

Estimate approved by: Paul N. Van de Water, Assistant Director for Budget Analysis.

FIRST FAMILY PLEDGE CAMPAIGN

Mr. KENNEDY. Mr. President, today marks the completion of a year-long public education effort called the First Family Pledge Campaign to increase awareness of the need for organ donation and to increase the number of people willing to be organ donors.

The campaign has focused primarily on the need to discuss organ transplantation within the family. Open family discussion is essential to ensure that each person's commitment to become an organ donor is understood and honored by family members. As part of that campaign, my wife Vicky and I agreed to become organ donors, and to discuss the issue in our family.

The campaign for organ donation has been an excellent opportunity to recognize the success of organ transplantation in saving lives, and Congress should be proud that it has helped to

support this achievement. Fourteen years ago, we created the National Organ Transplant Program. Our goal was to do all we can to see that organ failure is not a death sentence and make it possible for many more Americans to return to good health. We have had significant success. More than 20,000 Americans—men, women and children—now receive life-saving organ transplants each year. But more needs to be done.

Too many Americans die while waiting for organ transplantation. More than 60,000 Americans are waiting for organ transplantation. Every day, 55 of those people have an organ transplant. And every day, 10 others die because they did not have timely access to an organ. While there are differences of opinion about how an organ distribution system should be designed, it is clear that the overriding problem is a shortage in the availability of healthy organs.

In 1997, there were more than 9,000 organ donors. Nearly 4,000 of those donors were living relatives who were willing and eligible to give an organ—a kidney or part of a liver—to a family member in need. But transplantation of this type is not an option for many in need.

Each year, approximately 5,000 persons donate organs upon death. These acts of generosity are saving the lives of countless others. Transplantation of a cornea can restore sight. Transplantation of a kidney means life without dialysis. And transplantation of a heart, lung or liver means the difference between life and death. Studies show that more than 10,000 individuals each year could become organ donors after their death, and some estimates are as high as 15,000 each year.

The reasons that an individual does not become an organ donor vary. In some cases, the donation may conflict with religious or personal beliefs. But in far too many cases, the reason is simply lack of awareness of the need, or misunderstanding of the process.

In building the national organ donation and transplantation system, we have taken great care to ensure that individuals and families are not coerced into decisions to donate their organs. We have a strong shared commitment to respect personal and religious beliefs. Congress has made it illegal for organs to be sold—another measure to ensure freedom of choice. The Secretary of HHS has proposed a rule to encourage donation by training hospital personnel to explain the process. This rule, which I support, specifies that only trained hospital personnel are permitted to approach families of potential organ donors. But the most effective measure to increase organ donation is open discussion, long before a time of crisis. Families need to explore their beliefs and opinions, make personal commitments, and have an opportunity to honor the beliefs and commitments of loved ones who die.

In closing, I commend the First Family Pledge Campaign for all it has done to encourage and support these important efforts. Congress must continue to pursue legislation and policies to assure that all Americans in need have access to life-saving transplantation. Adequate funding is essential to support these services. We need to be sure that the distribution system is fair and effective. And we need to continue our nationwide efforts to educate the public about the need for and value of organ donation.

MESSAGES FROM THE HOUSE

At 11:53 a.m., a message from the House of Representatives, delivered by Mr. Hanrahan, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 46. An act to provide for a national medal for public safety officers who act with extraordinary valor above and beyond the call of duty.

H.R. 769. An act to amend the Trademark Act of 1946 to provide for the registration and protection of trademarks used in commerce, in order to carry out provisions of certain international conventions, and for other purposes.

H.R. 1143. An act to establish a program to provide assistance for programs of credit and other financial services for microenterprises in developing countries, and for other purposes.

H.R. 1189. An act to make technical corrections in title 17, United States Code, and other laws.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 35. Concurrent resolution congratulating the State of Qatar and its citizens for their commitment to democratic ideals and women's suffrage on the occasion of Qatar's historic elections of a central municipal council on March 8, 1999.

At 2:07 p.m., a message from the House of Representatives, delivered by one of its reading clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the resolution (H. Con. Res. 68) establishing the congressional budget for the United States Government for fiscal year 2000 and setting forth appropriate budgetary levels for each of fiscal years 2001 through 2009.

MEASURES REFERRED

The following bills were read the first and second times by unanimous consent and referred as indicated:

H.R. 46. An act to provide for a national medal for public safety officers who act with extraordinary valor above and beyond the call of duty; to the Committee on the Judiciary.

H.R. 769. An act to amend the Trademark Act of 1946 to provide for the registration and protection of trademarks used in commerce, in order to carry out provisions of certain international conventions, and for other purposes; to the Committee on the Judiciary.

H.R. 1143. An act to establish a program to provide assistance for programs of credit and other financial services for microenterprises in developing countries, and for other purposes; to the Committee on Foreign Relations.

H.R. 1189. An act to make technical corrections in title 17, United States Code, and other laws; to the Committee on the Judiciary.

The following concurrent resolution was read and referred as indicated:

H. Con. Res. 35. Concurrent resolution congratulating the State of Qatar and its citizens for their commitment to democratic ideals and women's suffrage on the occasion of Qatar's historic elections of a central municipal council on March 8, 1999; to the Committee on Foreign Relations.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of committees were submitted:

By Mr. HELMS, from the Committee on Foreign Relations:

Diane Edith Watson, of California, to be Ambassador Extraordinary and Plenipoteniary of the United States of America to the Federal States of Micronesia.

Nominee: Diane E. Watson.

Post: Ambassador to the Federated States of Micronesia.

Nominated: January 4, 1999.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee:

1. Self: (see Attachment).
2. Spouse: None.
3. Children and Spouses Names: None.
4. Parents Names: Dorothy Watson/None: William Allen Watson/''Deceased.''
5. Grandparents Names: Lyle and Belle O'Neal/''Deceased''; William and Edith Watson/''Deceased.''
6. Brothers and Spouses Names: William Watson/None; Chatera Watson/None.
7. Sisters and Spouses Names: Barbara Coleman/None; Patsy Bradfield/None; David Bradfield/None.
8. Political Contributions:

State Senator Diane Watson Schedule of Political Contributions—1994, 1995, 1996, 1997 and 1998

Date and payee	Amount
1994:	
Kay Ciniceros	$500
California Democratic Caucus	2,000
California Democratic Party	174
Legislative Black Caucus	500
California Democratic Party	400
Valerie Lynn Shaw	200
Friends of Gwen Moore	1,000
David Roberti	1,000
Cewaer	500
Senate Victory Campaign	300
Congressional Black Caucus	230
Dorothy Ehrhart Morrison	500
Democratic National Committee	200
Paulette Riley Irons	200
Margelo Farrand	500
Sandy Hester	200
Ralph Dills	1,000
Art Torres	1,000
Hollywood Womens Pac	250
Golden State Victory	300

State Senator Diane Watson Schedule of Political Contributions—1994, 1995, 1996, 1997 and 1998—Continued

Date and payee	Amount
Delaine Eastin	1,000
Total	10,954
1995:	
Legislative Black Caucus	500
State of California Moretti Funds	500
Friends of Paul Horcher	1,000
Friends of Lois Hill Hale	1,000
California Now	350
California Democratic Party	129
Democratic National Convention	200
California Democratic Committee	300
Democratic National Committee	100
Lois Hill Hale	1,000
U.N. 50 Committee	125
Mary Landrieu	1,500
Willie Brown for Mayor	500
Barbara Lee for Senate	309
Congressional Black Women LDF	1,000
Barbara Lee for Senate	500
Dezzie Wood	500
California Democratic Victory Fund	300
Total	9,813
1996:	
California Democratic Party	300
California Democratic Party	150

(The above nomination was reported with the recommendation that she be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

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. KERRY (for himself, Mr. BOND, Mr. HARKIN, Mr. BINGAMAN, Mr. LEVIN, Mr. ENZI, Mr. KENNEDY, Mr. DOMENICI, Mr. ABRAHAM, Mr. SARBANES, Mr. AKAKA, Mr. EDWARDS, Mrs. FEINSTEIN, Ms. LANDRIEU, Mrs. BOXER, Mr. CLELAND, Mr. KOHL, Mr. WELLSTONE, Mr. BURNS, and Mr. LEAHY):

S. 791. A bill to amend the Small Business Act with respect to the women's business center program; to the Committee on Small Business.

By Mr. DASCHLE (for Mr. MOYNIHAN (for himself, Mr. GRAHAM, Mr. KENNEDY, Mr. DURBIN, Mr. WELLSTONE, Mrs. FEINSTEIN, and Mr. LEAHY)):

S. 792. A bill to amend title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to provide States with the option to allow legal immigrant pregnant women, children, and blind or disabled medically needy individuals to be eligible for medical assistance under the medicaid program, and for other purposes; to the Committee on Finance.

By Mrs. BOXER:

S. 793. A bill to amend the Child Abuse Prevention and Treatment Act to require States receiving funds under section 106 of such Act to have in effect a State law providing for a criminal penalty on an individual who fails to report witnessing another individual engaging in sexual abuse of a child; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. FEINSTEIN (for herself and Ms. SNOWE):

S. 794. A bill entitled the ''Hospital Length of Stay Act of 1999''; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MCCAIN (for himself, Mr. HOLLINGS, Mr. FRIST, Mr. BURNS, and Mr. BREAUX):

S. 795. A bill to amend the Fastener Quality Act to strengthen the protection against the sale of mismarked, misrepresented, and counterfeit fasteners and eliminate unnecessary requirements, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. DOMENICI (for himself, Mr. WELLSTONE, Mr. CHAFEE, Mr. SPECTER, Mr. REID, Mr. SARBANES, and Mr. KENNEDY):

S. 796. A bill to provide for full parity with respect to health insurance coverage for certain severe biologically-based mental illnesses and to prohibit limits on the number of mental illness-related hospital days and outpatient visits that are covered for all mental illnesses; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ASHCROFT:

S. 797. A bill to apply the Foreign Corrupt Practices Act of 1977 to the International Olympic Committee; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MCCAIN (for himself, Mr. BURNS, Mr. WYDEN, Mr. LEAHY, Mr. ABRAHAM, and Mr. KERRY):

S. 798. A bill to promote electronic commerce by encouraging and facilitating the use of encryption in interstate commerce consistent with the protection of national security, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CAMPBELL:

S. 799. A bill to amend the Internal Revenue Code of 1986 to modify the tax brackets, eliminate the marriage penalty, allow individuals a deduction for amounts paid for insurance for medical care, increase contribution limits for individual retirement plans and pensions, and for other purposes; to the Committee on Finance.

By Mr. BURNS (for himself, Mr. MCCAIN, Mr. DORGAN, and Mr. WYDEN):

S. 800. A bill to promote and enhance public safety through the use of 9–1–1 as the universal emergency assistance number, further deployment of wireless 9–1–1 service, support of States in upgrading 9–1–1 capabilities and related functions, encouragement of construction and operation of seamless, ubiquitous, and reliable networks for personal wireless services, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SANTORUM:

S. 801. A bill to amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level; to the Committee on Finance.

By Mr. SANTORUM (for himself, Mr. CHAFEE, Mr. GREGG, Mr. FEINGOLD, Mr. DEWINE, Mr. BROWNBACK, Mr. SPECTER, and Ms. COLLINS):

S. 802. A bill to provide for a gradual reduction in the loan rate for peanuts, to repeal peanut quotas for the 2002 and subsequent crops, and to require the Secretary of Agriculture to purchase peanuts and peanut products for nutrition programs only at the world market price; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MCCAIN (for himself and Mr. WYDEN):

S. 803. A bill to make the International Olympic Committee subject to the Foreign Corrupt Practices Act of 1977, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. ROCKEFELLER (for himself and Mr. FRIST):

S. 804. A bill to improve the ability of Federal agencies to license Federally-owned inventions; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. BAYH (for himself and Mr. LUGAR):

S. Res. 76. A resolution to commend the Purdue University women's basketball team on winning the 1999 National Collegiate Athletic Association women's basketball championship; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KERRY (for himself, Mr. BOND, Mr. HARKIN, Mr. BINGAMAN, Mr. LEVIN, Mr. ENZI, Mr. KENNEDY, Mr. DOMENICI, Mr. ABRAHAM, Mr. SARBANES, Mr. AKAKA, Mr. EDWARDS, Mrs. FEINSTEIN, Ms. LANDRIEU, Mrs. BOXER, Mr. CLELAND, Mr. KOHL, Mr. WELLSTONE, Mr. BURNS, and Mr. LEAHY):

S. 791. A bill to amend the Small Business Act with respect to the women's business center program; to the Committee on Small Business.

WOMEN'S BUSINESS CENTERS SUSTAINABILITY ACT OF 1999

Mr. KERRY. Mr. President, I come to the floor today to introduce the Women's Business Centers Sustainability Act of 1999, and I do so on behalf of myself and Senators BOND, HARKIN, BINGAMAN, LEVIN, ENZI, DOMENICI, ABRAHAM, SARBANES, AKAKA, KENNEDY, EDWARDS, FEINSTEIN, LANDRIEU, BOXER, CLELAND, KOHL, WELLSTONE, BURNS, and LEAHY.

As the title suggests, this bill addresses the funding constraints that are making it increasingly difficult for our women's business centers to sustain the level of services that they currently provide and, in some instances, to literally keep the doors open.

Some colleagues may ask the question, What is the Women's Business Center Program? The Small Business Administration started the Women's Business Center Program which provides 5-year grants matched by non-Federal dollars to private sector organizations so that they can establish business training centers for women. Depending on the needs of the community being served, the centers teach women the basic principles of finance, management, and marketing, as well as specialized topics such as how to get a government contract or how to start a home-based business.

These business centers are located in rural, urban, and suburban areas, and they direct much of their training and counseling assistance towards socially

and economically disadvantaged women.

I might add, Mr. President, of all the changes in the social structure of the United States or in the marketplace in the last years, none has been more profound than the significant numbers of women entering the marketplace. As more and more women enter the marketplace and they assume roles as principal breadwinners or sole breadwinners within some families, it is more and more important that they have the capacity to participate fully in the economy and not be relegated simply to entry-level jobs.

Congress started this program in 1988 in response to hearings that revealed the Federal Government was not meeting the needs of women entrepreneurs and that there were very little other mechanisms for entry-level women entrepreneurs. Women faced particular discrimination in access to credit and capital, and they were shut out of many government contracts and had very little access to the kind of business assistance that they needed to compete in the marketplace. We have really come a long way since that first beginning. There are now 59 centers in 36 States, the District of Columbia, and Puerto Rico.

In addition to increasing self-sufficiency among women, the women's business centers have strengthened women business ownership overall and encouraged local job creation.

The numbers really tell a remarkable story, Mr. President. In 1998, women-owned businesses made up more than one-third of the 23 million small businesses in the United States. They have accounted for some $3 trillion in annual revenues to the economy, and they employed one out of every four workers in the United States.

Still, according to the data from the 1998 Women's Economic Summit, women-owned businesses account for only 18 percent of all small business gross receipts, and they are dramatically underrepresented in the Nation's two most lucrative markets—corporate buying and government contracting.

This really underscores significantly the problem that I talked about a moment ago of entry-level jobs and of the nature of the small, entrepreneurial, home-grown, cottage-industry-type businesses that women begin with, which often could be grown significantly into larger businesses but for the lack of credit, the lack of available marketing skills, and the lack of management skills. Clearly, the need for women's business centers continues, and this is no time for us to diminish or to dismantle the infrastructure that the federal government has invested in for the past decade.

Addressing the special needs of women-owned businesses serves not just the entrepreneurs, but it serves the overall strength of communities, as well as the economy of the whole of our country. Women's business centers help increase the growth, not just of women's businesses, but also of the large network of support businesses that are linked and affiliated with them, as well as, obviously, the general economy and the local community associated with those businesses.

There are many extraordinarily run centers around the country. Let me highlight two of them—one in New Mexico and one in Massachusetts. I know my colleagues, Senators BINGAMAN and DOMENICI, are particularly proud of the one in their home State. I am very proud of one in Massachusetts which has been a model women's business center. It is the Center of Women & Enterprise in Boston. Since 1995, that center has served more than 2,000 women from more than 100 cities and towns in eastern Massachusetts. Of the women it serves every year, 60 percent are low-income, 70 percent are single, and 32 percent are women of color.

Andrea Silbert is the tireless executive director of that center. She has effectively raised money, forged partnerships, and designed thorough training and mentoring programs to help women entrepreneurs.

When the Boston women's business center trains an entrepreneur, that entrepreneur then knows how to approach a lender for a loan, knows how to manage her business, and understands the ins and outs and hows and whys of marketing.

But notwithstanding the success of these several women's business centers, the fact is that a number of them around the country are facing increased difficulty in raising the required matching funds.

There are some people who think the centers should charge higher fees. And they might think so, until you examine the makeup of the people who are being reached by the centers. We were privileged to have a person by the name of Agnes Noonan, who has spent the last 8 years as the executive director of WESST Corporation, the women's business center in Albuquerque, NM, testify before us in the Small Business Committee. As she testified in March, during her first couple of years running the center, her view was that there was a very simple way to deal with the problem of raising money, and that was to do a better job of marketing the center's services to women who could afford to pay higher fees. That would increase the center's income, and it would reduce its reliance on public dollars.

But the problem is that the minute you do that, you start redirecting the energy and focus of the center away from the people who most benefit from it. And that is precisely what she told us as a practitioner. She said:

> Though [such a] strategy may have made economic sense, it conflicted directly with our mission of serving low-income women. . . . If we were to target our services to women who could afford to pay market consulting and training rates, then we would clearly not be addressing the needs of low-income women in New Mexico.

She also gave us important information about the realities of fundraising:

> Nationally, only six percent of foundation money is earmarked for women, and only a tiny portion of that goes to women's economic development.

So as she said to us, the executive directors of women's business centers are very experienced fundraisers. Lori Smith of the WBC in Oklahoma City said before the House Small Business Committee that she thought she could sell sand in the desert. She viewed herself as good a fundraiser and as good a salesperson as there is, but she also said that competition for foundation- and private-sector dollars has become so intense and those dollars so much scarcer with each year that Government funding has diminished. And they do not have anywhere to turn.

In addition to that, bank mergers are occurring, as we know, at an increased rate around the country. And those mergers are further exacerbating the situation because the banks have been a primary source of funds for many of these centers.

Take the example of the recently announced bank merger in Boston of Fleet Bank and BankBoston. Those banks separately have been very generous to the women's business center in Boston. Their combined contribution came to $150,000. But we have serious concerns that their full support continue, and not reduce as we have seen in other States, where the merged institutions rarely give the same amount of money as the two or three, or whatever number, that the prior institutions contributed. So we have seen a drying up of some of the funding sources, I might add, not just for the women's business centers but for a host of charitable institutions that rely on those contributions.

So for many of the centers, they now have the added specter of losing their annual base of money. We need to guarantee that we do not add to that ominous cloud by having the base that came from the SBA also disappear at the same time when they come to the end of the original 5-year grant cycle. That money is their basic bread and butter, it is their ability to stay alive, as well as the indispensable ingredient of leveraging for additional fundraising dollars.

I believe, and the colleagues who have joined me in introducing this legislation believe, that it is essential for us to find a fair way to let the women's business centers recompete for their base funding. That is competition; it is not entitlement.

So here is how the legislation we introduce gets us there.

First, it allows the women's business centers which have completed a funding term to compete for another 5 years of Federal funding, which, under current policy, would be up to $150,000 per year. The recompetition standards would be higher than those needed for centers applying for funds for their initial 5-year funding term. This recognizes that more experienced centers ought to be able to perform well from

the beginning of their second term funding; they have been through the learning curve. And I believe this additional Federal funding is necessary to counteract the adverse impact of bank and corporate mergers I mentioned previously.

Second, my bill will raise the authorization of appropriations for fiscal year 2000 and fiscal year 2001 for women's business center funding from $11 million to $12 million per year. It will also reserve 40 percent of those appropriations for recompetition grants.

I believe that increasing the authorization to $12 million is entirely consistent with the legislation which our committee passed last year, and it would ensure that there would be adequate funding to preserve effective, established centers and to help fund new centers in States that do not have one.

Mr. President, I thank those colleagues who have joined me in this effort. I hope additional colleagues will join in support of this legislation and we can rapidly pass it. It should not be contentious. We are not talking about vast sums of money, but we are talking about an extraordinary amount of leverage for a very small investment.

I think that in most States in this country my colleagues will agree with me that opening the doors of opportunity to full business ownership and participation, particularly to those who have been disadvantaged for various reasons, is of enormous importance to the longer term economic well-being of our country. And when I say ''well-being,'' I am not just talking about the bottom line in terms of the return on investment to those businesses, I am talking, obviously, about the enormous importance of strengthening families, strengthening communities, and eliminating the vestiges of discrimination that remain against women in terms of their full economic participation in the Nation.

I ask unanimous consent that the full text of the Women's Business Centers Sustainability Act be printed in the RECORD.

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

S. 791

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 Business Centers Sustainability Act of 1999''.

SEC. 2. WOMEN'S BUSINESS CENTER PROGRAM.

(a) IN GENERAL.—Section 29 of the Small Business Act (15 U.S.C. 656) is amended by adding at the end the following:

''(*l*) ELIGIBILITY FOR ADDITIONAL ASSISTANCE.—

''(1) IN GENERAL.—Subject to paragraph (2), a private organization that has received financial assistance under this section pursuant to a grant, contract, or cooperative agreement, and that is in the final year of a 5-year project or that has completed a project financed under this section (or any predecessor to this section), may apply for financial assistance for an additional 5-year project under this section.

''(2) CONDITIONS FOR PARTICIPATION.—Notwithstanding any other provision of this section, as a condition of receiving financial assistance authorized by this subsection, an organization described in paragraph (1)—

''(A) shall meet such requirements as the Administration shall establish to promote the viability and success of the program under this section, in addition to the requirements set forth in this section; and

''(B) shall agree to obtain, after its application has been approved and notice of award has been issued, cash contributions from non-Federal sources for each year of additional program participation in an amount equal to 1 non-Federal dollar for each Federal dollar.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 29(k) of the Small Business Act (15 U.S.C. 656(k)) is amended by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—There is authorized to be appropriated $12,000,000 for each of fiscal years 2000 and 2001 to carry out the projects authorized under this section, of which, in each fiscal year, not more than 40 percent may be used to carry out projects funded under subsection (*l*).''.

Mr. LEVIN. Mr. President, I am pleased to be an original cosponsor of the Women's Business Centers Sustainability Act of 1999. This legislation will strengthen SBA's women's business centers in Michigan and across the Nation which help entrepreneurs start and maintain successful businesses by providing such things as start-up help and financial expertise to women-owned businesses. This legislation will allow those women's business centers that are already successfully participating in the program to recompete for Federal funding after their initial funding term expires.

Under this legislation, the recompetition standards would be set higher than those used for centers applying for their initial five-year funding term. The ability of established and successful women's business development centers to continue to compete for Federal funding means that critical resources will continue to be made available for women-owned businesses for such purposes as training and obtaining business financing.

Women-owned businesses are the fastest growing sector of small businesses in America and provide innumerable jobs and resources to the state of Michigan. Michigan has two women's business centers, the Center for Empowerment and Economic Development (CEED) in Ann Arbor and the Grand Rapids Opportunities for Women (GROW) in Grand Rapids. We also have Project Invest in Traverse City which is a women's business center affiliate. In addition, a Center is currently being set up in Detroit.

These Michigan programs offer women a comprehensive package of business education and training, start-up financing, technical assistance, peer group support and access to community and government supportive resources such as child care. Michigan's women's business centers are supportive of this legislation and believe it is necessary in order for them to continue to be able to offer the current levels of services and support to Michigan's women-owned businesses.

I am pleased that Congress has recognized the importance of funding the women's business center program. In 1997, Congress enacted legislation to make the 1991 pilot project a permanent part of the Small Business Administration programs available to help entrepreneurs start and maintain successful business. It also doubled the annual funding of the women's business centers and extended the funding period from 3 to 5 years. And just this year, Congress enacted legislation to change the non-Federal and Federal funding ratio requirements and it again increased the annual authorization level from $8 million to $11 million.

The legislation being introduced today by my colleague from Massachusetts, Mr. KERRY, in addition to allowing existing women's business centers to compete for additional Federal funding, will also increase the authorized appropriations for fiscal year 2000 and fiscal year 2001 from $11 million to $12 million for this program.

Mr. KENNEDY. I strongly support the Women's Business Centers Sustainability Act of 1999. Its goal is to provide disadvantaged women with the opportunity to obtain the training and counseling necessary to become successful small business owners.

Today, the Nation's entrepreneurial spirit is thriving. Small business has become the engine that drives the economy. America's 23 million small businesses employ more than 50 percent of the private workforce, generate more than half of the nation's gross domestic product, and are the principal source of new jobs in the U.S. economy. The increase in the number of small businesses owned by women has significantly contributed to the overall success of small business.

Between 1987 and 1996, the number of women-owned firms has grown by78 percent. Employment in women-owned firms more than doubled from 1987 to 1992, compared to an increase of 38 percent in employment by all firms. For women-owned companies with 100 or more workers, employment has increased by 158 percent—more than twice the rate for all U.S. firms of similar size. Women entrepreneurs are taking their firms into the global marketplace at the same rate as all U.S. business owners.

Today, women are starting new firms at twice the rate of all other business and own nearly 40 percent of all firms in the United States. These 8 million firms employ 18.5 million people—one in every five U.S. workers—and contribute $2.3 trillion to the economy. The Small Business Administration has created programs, such as the women's business centers, which have been very effective in promoting woman business ownership. We must ensure that these programs continue to receive strong support in Congress.

The Women's Business Centers Sustainability Act of 1999 will provide the

funds necessary to continue this successful program. It will allow women's business centers that have completed five year funding to apply for additional funding, and it will also increase the authorization for FY 2000 and FY 2001 from $11 million to $12 million a year. Our goal is to help sustain existing centers, while continuing to create new centers.

I urge all of my colleagues to support this important legislation, and I look forward to its early enactment.

Mr. ABRAHAM. Mr. President, I rise for the second year in a row as an original co-sponsor of legislation increasing the authorization for the Small Business Administration women's business center program. These centers provide important management, marketing, and financial advice to women-owned small businesses.

Mr. President, this program finances a number of very important initiatives at the state and local levels; measures that have proven crucial to women struggling to enter the job world and to start their own businesses. These initiatives have changed the lives of a significant number of women in Michigan and throughout the United States.

For example, two women's business centers in Michigan are leading the way toward preparing and advancing women in the business field. Ann Arbor's Women's Initiative for Self-Employment, or WISE, program provides low-income women with the tools and resources they need to begin and expand businesses. The WISE program also provides a comprehensive package of business training, personal development workshops, credit counseling, start-up and expansion financing, business counseling and mentoring. In addition, Grand Rapids' Opportunities for Women, or GROW, provides career counseling and training for women in western Michigan. GROW provides essential job preparedness with basic business training and assistance in obtaining more specialized instruction.

Mr. President, I salute the good people at WISE and GROW for their hard work in helping the women of Michigan. These programs create and expand business opportunities, fight against poverty, increase incomes, stabilize families, develop skills, and spark community renewal. If we are to maintain and increase revitalization of troubled areas and the empowerment of women we must continue to provide targeted funding for these types of assistance programs.

For these reasons, I support the Women's Business Centers Sustainability Act of 1999. Because the Small Business Administration's women's business centers program makes it possible for women to build productive lives for themselves and their families, I believe it deserves the increased funding it needs to expand its services. I urge my colleagues to support this important bill.

By Mr. DASCHLE (for Mr. MOYNIHAN (for himself, Mr. GRAHAM, Mr. KENNEDY, Mr. DURBIN, Mr. WELLSTONE, Mrs. FEINSTEIN, and Mr. LEAHY)):

S. 792. A bill to amend title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to provide States with the option to allow legal immigrant pregnant women, children, and blind or disabled medically needy individuals to be eligible for medical assistance under the medicaid program, and for other purposes.

THE FAIRNESS FOR LEGAL IMMIGRANTS ACT OF 1999

Mr. MOYNIHAN. Mr. President, today, I am introducing the Fairness for Legal Immigrants Act of 1999, a bill to restore to legal immigrants eligibility for a number of safety net benefits denied to them by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. I am glad to be joined by my colleagues Senators GRAHAM, KENNEDY, DURBIN, FEINSTEIN, WELLSTONE, and LEAHY.

The provisions of the 1996 law concerning legal immigrants were based on the false premise that such immigrants are a burden to us all. On the contrary. A recent comprehensive study by the National Academy of Sciences concluded that immigration actually benefits the U.S. economy. In fact, the study found that the average legal immigrant contributes $1,800 more in taxes than he or she receives in government benefits.

Many Americans may not realize this, but legal immigrants pay income and payroll taxes. And without continued legal immigration, the long-term financial condition of Social Security and Medicare would be worsened. It is in our interest to see that these immigrant families have healthy children, enough to eat, and support if they become disabled. And it is not merely wise, it is just. These immigrants have come here under the rules we have established and they have abided by those rules. If harm should befall them, it is right to extend a hand.

The Fairness for Legal Immigrants Act contains several provisions. First, it would permit states to provide Medicaid coverage to poor legal immigrant pregnant women and children, as well as coverage under the new Child Health insurance program (CHIP) for legal immigrant children, whenever they arrive in the United States. Under current law, states are not allowed to extend such health care coverage—which is so important for the development of healthy children—to families who have come to the U.S. after August 22, 1996, until the families have been here for five years. Five years is a very long time in the life of a child. It is common knowledge, emphasized by recent research, that access to health care is essential for early childhood development. We should, at a minimum, permit states to extend coverage to all poor legal immigrant children, no matter when they have arrived here. This builds upon our recent achievements in promoting health care for children—legal immigrant children should not be neglected in these efforts.

The bill also permits states to restore Medicaid coverage to certain legal immigrants in nursing homes. These individuals would be eligible for states' ''medically needy'' Medicaid coverage if they were citizens, having ''spent down'' their income and assets in nursing homes to the point of destitution. Several states continue to pay nursing homes for these frail seniors without federal support. We should do our share to care for them.

Next, the bill restores Supplemental Security Income (SSI) eligibility for legal immigrants who have come to the U.S. after August 22, 1996, and have since then, unfortunately, become disabled. While it would be preferable to restore full SSI eligibility for these legal immigrants, at this time we propose only that the disabled be again eligible for SSI, because they are the population most in need. A modicum of a safety net. We have made great strides in assisting the disabled in this country in recent years. We should not then, deliberately, refuse aid to individuals who have come to our nation lawfully and then suffered a disability. The bill also completes the process, begun in the Balanced Budget Act of 1997, of restoring SSI eligibility to elderly pre-1996 legal immigrants.

Fourth, since the 1996 welfare law was enacted we have been successful in restoring a limited amount of food stamp eligibility for the most vulnerable legal immigrants—children, the disabled, the elderly. A Physicians for Human Rights survey in 1998 found that almost 80 percent of immigrant households suffered from limited or uncertain availability of nutritious foods, and that immigrant households reported ''severe hunger'' at a rate more than 10 times that of the general population. While this survey was conducted before the limited restoration of food stamp eligibility in 1998, it suggests the magnitude of the hunger problem among legal immigrants. We need to do more, and this bill restores food stamp eligibility to all legal immigrants who were in the U.S. prior to the 1996 enactment of the welfare law.

Finally, there is another vulnerable immigrant population for which we need to do more: victims of domestic violence. The 1996 welfare law put severe limits on the assistance which can be provided to non-citizens suffering from domestic abuse, particularly if they came to the U.S. after August 22, 1996. This legislation will expand the circumstances under which immigrant victims of domestic violence are eligible for Medicaid and TANF assistance, and restores eligibility for food stamps and SSI. These programs provide essential resources to break the economic dependence on a violent relationship. It also ensures that elderly legal immigrants who are abused by their children can obtain access to these benefits as well.

Mr. President, simple decency requires us to continue to provide a

measure of a safety net to legal immigrant families. I urge the enactment of this legislation to ensure that we do so.

I ask unanimous consent that the full text of the legislation and a summary of it be included in the RECORD.

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

S. 792

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 ''Fairness for Legal Immigrants Act of 1999''.

SEC. 2. OPTIONAL ELIGIBILITY OF CERTAIN ALIEN PREGNANT WOMEN AND CHILDREN FOR MEDICAID.

(a) IN GENERAL.—Subtitle A of title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1611-1614) is amended by adding at the end the following:

''SEC. 405. OPTIONAL ELIGIBILITY OF CERTAIN ALIENS FOR MEDICAID.

''(a) OPTIONAL MEDICAID ELIGIBILITY FOR CERTAIN ALIENS.—A State may elect to waive (through an amendment to its State plan under title XIX of the Social Security Act) the application of sections 401(a), 402(b), 403, and 421 with respect to eligibility for medical assistance under the program defined in section 402(b)(3)(C) (relating to the medicaid program) of aliens who are lawfully residing in the United States (including battered aliens described in section 431(c)), within any or all (or any combination) of the following categories of individuals:

''(1) PREGNANT WOMEN.—Women during pregnancy (and during the 60-day period beginning on the last day of the pregnancy).

''(2) CHILDREN.—Children (as defined under such plan), including optional targeted low-income children described in section 1905(u)(2)(B).''.

(b) APPLICABILITY OF AFFIDAVITS OF SUPPORT.—Section 213A(a) of the Immigration and Nationality Act (8 U.S.C. 1183a(a)) is amended by adding at the end the following:

''(4) INAPPLICABILITY TO BENEFITS PROVIDED UNDER A STATE WAIVER.—For purposes of this section, the term 'means-tested public benefits' does not include benefits provided pursuant to a State election and waiver described in section 405 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.''.

(c) CONFORMING AMENDMENTS.—

(1) Section 401(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1611(a)) is amended by inserting ''and section 405'' after ''subsection (b)''.

(2) Section 402(b)(1) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(b)(1)) is amended by inserting '', section 405,'' after ''403''.

(3) Section 403(a) of such Act (8 U.S.C. 1613(a)) is amended by inserting ''section 405 and'' after ''provided in''.

(4) Section 421(a) of such Act (8 U.S.C. 1631(a)) is amended by inserting ''except as provided in section 405,'' after ''Notwithstanding any other provision of law,''.

(5) Section 1903(v)(1) of the Social Security Act (42 U.S.C. 1396b(v)(1)) is amended by inserting ''and except as permitted under a waiver described in section 405(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996,'' after ''paragraph (2),''.

(d) RETROACTIVITY OF EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1611 et seq.), except that the amendment made by subsection (b) shall apply as if included in the enactment of section 551(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208).

SEC. 3. OPTIONAL ELIGIBILITY OF IMMIGRANT CHILDREN FOR SCHIP.

(a) IN GENERAL.—Section 405 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, as added by section 2(a), is amended—

(1) in the heading, by inserting ''**AND SCHIP**'' before the period; and

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

''(b) OPTIONAL SCHIP ELIGIBILITY FOR CERTAIN ALIENS.—

''(1) IN GENERAL.—Subject to paragraph (2), a State may also elect to waive the application of sections 401(a), 402(b), 403, and 421 with respect to eligibility of children for child health assistance under the State child health plan of the State under title XXI of the Social Security Act (42 U.S.C. 1397aa et seq.), but only with respect to children who are lawfully residing in the United States (including children who are battered aliens described in section 431(c)).

''(2) REQUIREMENT FOR ELECTION.—A waiver under this subsection may only be in effect for a period in which the State has in effect an election under subsection (a) with respect to the category of individuals described in subsection (a)(2) (relating to children).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies to child health assistance for coverage provided for periods beginning on or after October 1, 1997.

SEC. 4. OPTIONAL ELIGIBILITY OF CERTAIN MEDICALLY NEEDY ALIENS FOR MEDICAID.

(a) OPTIONAL ELIGIBILITY OF CERTAIN ALIENS WHO ARE BLIND OR DISABLED MEDICALLY NEEDY ADMITTED AFTER AUGUST 22, 1996.—

(1) IN GENERAL.—Section 405(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, as added by section 2(a), is amended by adding at the end the following:

''(3) CERTAIN BLIND OR DISABLED MEDICALLY NEEDY.—Individuals who are considered blind or disabled under section 1614(a) of the Social Security Act (42 U.S.C. 1382c(a))) and who, but for sections 401(a), 402(b) and 403 (except as waived under this subsection), would be eligible for medical assistance under clause (ii)(IV) of section 1902(a)(10)(A) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)), or would be eligible for such assistance under any other clause of that section of that Act because the individual, if enrolled in the program under title XVI of the Social Security Act, would receive supplemental security income benefits or a State supplementary payment under that title.''.

(2) RETROACTIVITY OF EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect as if included in the enactment of title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1611 et seq.).

(b) OPTIONAL ELIGIBILITY OF MEDICALLY NEEDY ALIENS REQUIRING A CERTAIN LEVEL OF CARE.—

(1) IN GENERAL.—Section 405 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, as added by section 2(a) and as amended by section 3(a) and subsection (a), is further amended by adding at the end the following new subsection:

''(c) OPTIONAL ELIGIBILITY FOR MEDICALLY NEEDY ALIENS REQUIRING A CERTAIN LEVEL OF CARE.—A State may also elect to waive the application of sections 401(a), 402(b), and 421 with respect to eligibility for medical assistance under the program defined in section 402(b)(3)(C) (relating to the medicaid program) of aliens who—

''(1) were lawfully residing in the United States on August 22, 1996; and

''(2) are residents of a nursing facility (as defined in section 1919(a) of the Social Security Act (42 U.S.C. 1396r(a)), or require the level of care provided in a such a facility or in an intermediate care facility, the cost of which could be reimbursed under the State plan under title XIX of that Act.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect as if included in the enactment of title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1611 et seq.).

SEC. 5. ELIGIBILITY OF CERTAIN ALIENS FOR SSI.

(a) AGED ALIENS LAWFULLY RESIDING IN THE UNITED STATES ON AUGUST 22, 1996.—Section 402(a)(2) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(2)) is amended by adding at the end the following:

''(L) SSI EXCEPTION FOR AGED ALIENS LAWFULLY RESIDING IN THE UNITED STATES ON AUGUST 22, 1996.—With respect to eligibility for the program defined in paragraph (3)(A), paragraph (1) shall not apply to any individual who was lawfully residing in the United States on August 22, 1996, and has attained age 65.''.

(b) BLIND OR DISABLED QUALIFIED ALIENS WHO ENTERED THE UNITED STATES AFTER AUGUST 22, 1996.—

(1) IN GENERAL.—Section 402(a)(2) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(2)), as amended by subsection (a), is amended by adding at the end the following:

''(M) SSI EXCEPTION FOR BLIND OR DISABLED QUALIFIED ALIENS WHO ENTERED THE UNITED STATES AFTER AUGUST 22, 1996.—With respect to eligibility for the program defined in paragraph (3)(A), paragraph (1) and section 421 shall not apply to any individual who entered the United States on or after August 22, 1996 with a status within the meaning of the term 'qualified alien', and became blind or disabled (within the meaning of section 1614(a) of the Social Security Act (42 U.S.C. 1382c(a))) after the date of such entry.''.

(2) EXCEPTION FROM 5-YEAR BAN.—Section 403(b) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613(b)) is amended by adding at the end the following:

''(3) CERTAIN BLIND OR DISABLED ALIENS.—An alien described in section 402(a)(2)(M), but only with respect to the programs specified in subsections (a)(3)(A) and (b)(3)(C) of section 402 (and, with respect to such programs, section 421 shall not apply to such an alien).''.

(3) CONFORMING AMENDMENT.—Section 421(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1631(a)), as amended by section 2(c)(4), is amended by inserting '', section 402(a)(2)(M), and section 403(b)(3)'' after section ''405''.

(4) ENFORCEMENT OF AFFIDAVITS OF SUPPORT.—For provisions relating to the enforcement of affidavits of support in cases of individuals made eligible for benefits under the amendment made by paragraph (1), see section 213A of the Immigration and Nationality Act (8 U.S.C. 1183a).

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) are effective with respect to benefits payable for months after the month in which this Act is enacted, but only on the basis of applications filed on or after the date of enactment of this Act.

SEC. 6. ELIGIBILITY OF LEGAL IMMIGRANTS FOR FOOD STAMPS.

(a) IN GENERAL.—Section 402(a)(2) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(2)), as amended by section 5(b)(1), is amended by adding at the end the following:

''(N) FOOD STAMP EXCEPTION FOR ALIENS LAWFULLY RESIDING IN THE UNITED STATES ON AUGUST 22, 1996.—With respect to eligibility for benefits for the specified Federal program described in paragraph (3)(B), paragraph (1) shall not apply to an individual who was lawfully residing in the United States on August 22, 1996.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies to benefits under the food stamp program, as defined in section 3(h) of the Food Stamp Act of 1977 (7 U.S.C. 2012(h)) for months beginning at least 30 days after the date of enactment of this Act.

SEC. 7. ELIGIBILITY OF LEGAL IMMIGRANTS SUFFERING FROM DOMESTIC ABUSE.

(a) EXEMPTION FROM SSI AND FOOD STAMPS BAN.—Section 402(a)(2) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(2)), as amended by section 6(a), is amended by adding at the end the following:

''(O) BATTERED IMMIGRANTS.—With respect to eligibility for benefits for a specified Federal program (as defined in paragraph (3)), paragraph (1) shall not apply to any individual described in section 431(c).''.

(b) EXEMPTION FROM 5-YEAR BAN.—Section 403(b) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613(b)), as amended by section 5(b)(2), is amended by adding at the end the following:

''(4) BATTERED IMMIGRANTS.—An alien described in section 431(c).''.

(c) EXPANSION OF DEFINITION OF BATTERED IMMIGRANTS.—

(1) IN GENERAL.—Section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)) is amended—

(A) in paragraphs (1)(A), (2)(A), and (3)(A) by inserting '' or the benefits to be provided would alleviate the harm from such battery or cruelty or would enable the alien to avoid such battery or cruelty in the future'' before the semicolon; and

(B) in the matter following paragraph (3), by inserting '' and for determining whether the benefits to be provided under a specific Federal, State, or local program would alleviate the harm from such battery or extreme cruelty or would enable the alien to avoid such battery or extreme cruelty in the future'' before the period.

(2) CONFORMING AMENDMENT REGARDING SPONSOR DEEMING.—Section 421(f)(1) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1631(f)(1)) is amended—

(A) in subparagraph (A), by inserting ''or would alleviate the harm from such battery or cruelty, or would enable the alien to avoid such battery or cruelty in the future'' before the semicolon; and

(B) in subparagraph (B), by inserting ''or would alleviate the harm from such battery or cruelty, or would enable the alien to avoid such battery or cruelty in the future'' before the period.

(d) CONFORMING DEFINITION OF ''FAMILY'' USED IN LAWS GRANTING FEDERAL PUBLIC BENEFIT ACCESS FOR BATTERED IMMIGRANTS TO STATE FAMILY LAW.—Section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)) is amended—

(1) in paragraph (1)(A), by striking ''by a spouse or a parent, or by a member of the spouse or parent's family residing in the same household as the alien and the spouse or parent consented to, or acquiesced in, such battery or cruelty,'' and inserting ''by a spouse, parent, son, or daughter, or by any individual having a relationship with the alien covered by the civil or criminal domestic violence statutes of the State or Indian country where the alien resides, or the State or Indian country in which the alien, the alien's child, or the alien child's parents received a protection order, or by any individual against whom the alien could obtain a protection order,''; and

(2) in paragraph (2)(A), by striking ''by a spouse or parent of the alien (without the active participation of the alien in the battery or cruelty), or by a member of the spouse or parent's family residing in the same household as the alien and the spouse or parent consented or acquiesced to such battery or cruelty,'' and inserting ''by a spouse, parent, son, or daughter of the alien (without the active participation of alien in the battery or cruelty) or by any individual having a relationship with the alien covered by the civil or criminal domestic violence statutes of the State or Indian county where the alien resides, or the State or Indian country in which the alien, the alien's child, or the alien child's parent received a protection order, or by any individual against whom the alien could obtain a protection order,''.

(e) EFFECTIVE DATE.—The amendments made by this section apply to Federal means-tested public benefits provided on or after the date of enactment of this Act.

FAIRNESS FOR LEGAL IMMIGRANTS ACT OF 1999

I. HEALTH COVERAGE

Medicaid

Permits states to cover all eligible legal immigrant pregnant women and children, including those who have arrived in the U.S. after August 22, 1996. (Currently, states must wait five years before extending such coverage to legal immigrants coming to the U.S. since August 22, 1996.)

Permits states to extend coverage to certain ''medically needy'' disabled legal immigrants not receiving SSI.

Children's Health Insurance Program (CHIP)

Permits states to cover legal immigrant children under CHIP. States can cover CHIP children under either the expanded Medicaid option or separate CHIP program. However, to choose this CHIP option states must have first taken up the option to cover poor legal immigrant children under the regular (non-CHIP) Medicaid program. Under current law, legal immigrant children are ineligible for CHIP.

II. SSI

For pre-August 1996 legal immigrants, restores SSI eligibility for those who are elderly and poor but not disabled by SSI standards. This returns pre-August 1996 elderly legal immigrants to the same SSI eligibility status as citizens.

For post-August 1996 legal immigrants, restores SSI eligibility for those who become disabled after entering the country. Currently, such recent immigrants are ineligible for SSI.

III. FOOD STAMPS

Restores eligibility for all pre-August 1996 legal immigrants.

IV. OTHER PROVISIONS

For post-August 1996 legal immigrants suffering from domestic abuse, expands the exemption from the five-year ban on receiving Medicaid and TANF. It also restores their eligibility for SSI and food stamps. Victims of elder abuse are also covered.

Mr. GRAHAM. Mr. President, I rise today, along with Senators MOYNIHAN, KENNEDY, DURBIN, FEINSTEIN, WELLSTONE, and LEAHY to introduce the Fairness to Legal Immigrants Act of 1999. I commend my colleagues in the Senate and the House of Representatives, who are also introducing this legislation today, for their efforts to restore benefits to legal immigrants.

This legislation includes several provisions which restore important health, disability and nutrition benefits to additional categories of legal immigrants. These benefits would improve the lives of many of our most vulnerable, such as pregnant women and children, the elderly and the disabled.

One of the provisions in this proposal would grant states the option to provide health care coverage to legal immigrant children through Medicaid and the State Children's Health Insurance Program (SCHIP)—in essence eliminating the arbitrary designation of August 22, 1996, as the cutoff date for benefits eligibility to children. The welfare reform legislation passed in 1996 prohibits states from covering these immigrant children during their first five years in the United States. This has serious consequences.

Children without health insurance do not get important care for preventable diseases. Many uninsured children are hospitalized for acute asthma attacks that could have been prevented, or suffer from permanent hearing loss from untreated ear infections. Without adequate health care, common illnesses can turn into life-long crippling diseases, whereas appropriate treatment and care can help children with diseases like diabetes live relatively normal lives. A lack of adequate medical care will also hinder the social and educational development of children, as children who are sick and left untreated are less ready to learn.

In addition to allowing extended coverage of legal immigrant children, this initiative aims to provide Medicaid to pregnant women and disabled immigrants regardless of whether they participate in Social Security's Supplemental Security Income program. States would also become eligible for reimbursement of costs associated with providing institutional care for some elderly and disabled immigrants.

Another important issue addressed by this legislation is the exemption allowing legal immigrants who are victims of domestic abuse to receive assistance. At present, victims of domestic violence are restricted from receiving benefits during their first five years in the United States. These individuals are most vulnerable and should not be subjected to staying in a bad situation due to lack of resources.

In this legislation we attempt to diminish the arbitrary cutoff date used in the 1996 welfare law to determine the eligibility of legal immigrants to benefits they desperately need. Our nation was built by people who came to our shores seeking opportunity and a better life, and America has greatly

benefitted from the talent, resourcefulness, determination, and work ethic of many generations of legal immigrants. Time and time again, they have restored our faith in the American Dream. We should not discriminate between these important members of our community based on nothing more than an arbitrary date.

I hope that with the help of my colleagues in Congress we will be able to rectify the discrimination suffered by individuals who have legally entered our country, who pay taxes, who serve in the military, and who add to the fabric of this nation. As our nation enters what promises to be a dynamic century, the United States needs a prudent, fair immigration policy to ensure that avenues of refuge and opportunity remain open for those seeking freedom, justice, and a better life.

Mr. LEAHY. Mr. President, I am proud to join Senator MOYNIHAN as an original cosponsor of the Fairness for Legal Immigrants Act of 1999. This bill takes the next, important step toward restoring benefits to legal immigrants.

Legal immigrants are people in our communities who are in this country legally. They pay taxes and they contribute to our economy and society. Many of our parents, or grandparents, were legal immigrants themselves. The 1996 welfare reform law forced this group to lose their eligibility for various programs, including food stamps, Medicaid and SSI. More than 900,000 legal immigrants—including hundreds of thousands of children and elderly individuals—were cut from the Food Stamp Program alone, with nothing to abate their hunger.

In the years since the passage of the welfare reform act, Congress has correctly realized that many of the cuts went too far, and slowly benefits are being restored. For instance, the 1997 Balanced Budget Act restored SSI and Medicaid benefits to a narrow class of immigrants, refugees and asylees.

Last Congress, I worked hard to include $818 million in the Agricultural Research, Extension, and Education Reauthorization Act to restore food stamp benefits for thousands of legal immigrants. This legislation restored food stamps to legal immigrants who are disabled or elderly, or who later become disabled, and who resided in the United States prior to August 22, 1996. That law also increased food stamp eligibility time limits—from 5 years to 7 years—for refugees and asylees who came to this country to avoid persecution. Hmong refugees who aided U.S. military efforts in Southeast Asia were also covered, as were children residing in the United States prior to August 22, 1996.

Though the Agriculture Research Act restored food stamp eligibility to children of legal immigrants, many of these children are not receiving food stamps and are experiencing alarming instances of hunger. In its recent report entitled ''Who is Leaving the Food Stamp Program? An Analysis of Caseload Changes from 1994 to 1997,'' the U.S. Department of Agriculture reported that participation among children living with parents who are legal immigrants fell significantly faster than children living with native-born parents. It appears that restrictions on adult legal immigrants deterred the participation of their children. That is a disturbing development that must be rectified, and the legislation we are introducing today would go a long way toward making the situation right by restoring food stamp eligibility to all legal immigrants.

The Fairness for Legal Immigrants Act of 1999 would also address the medical needs of legal immigrants. This bill will permit states to offer Medicaid coverage to all eligible legal immigrant pregnant women and children, as well as certain ''medically needy'' disabled legal immigrants. This legislation would also restore SSI eligibility to elderly and poor legal immigrants who were in this country prior to passage of the welfare reform law.

Under current law, legal immigrants who suffer from domestic or elder abuse must wait 5 years to receive Medicaid, TANF, SSI and food stamp benefits if they entered the United States after August 1996. The Fairness for Legal Immigrants Act of 1999 would amend this law so that these victims would not have to wait to receive assistance.

I am proud to cosponsor the Fairness for Legal Immigrants Act of 1999. It is a needed bill that will help fill some of the continuing gaps left by the welfare reform law. I look forward to working with Senator MOYNIHAN and all members of the Senate to restore Medicaid, SSI, and food stamp benefits to legal immigrants in need.

By Mr. MCCAIN (for himself, Mr. HOLLINGS, Mr. FRIST, Mr. BURNS, and Mr. BREAUX):

S. 795. A bill to amend the Fastener Quality Act to strengthen the protection against the sale of mismarked, misrepresented, and counterfeit fasteners and eliminate unnecessary requirements, and for other purposes; to the Committee on Commerce, Science, and Transportation.

THE FASTENER QUALITY ACT AMENDMENTS ACT OF 1999

Mr. MCCAIN. Mr. President, I rise to introduce the Fastener Quality Act Amendments Act of 1999. This bill represents major revisions to the original Fastener Quality Act as passed in 1990.

Every year billions of special high-strength bolts, screws, and other fasteners are sold in the United States which carry grade identification markings. The markings indicate that the fasteners conform to specifications set by consensus standards organizations. These grade-marked fasteners are used in critical applications like aircraft, automobiles, and highway bridges where failure of a fastener could jeopardize public safety.

In 1998, the Congress passed legislation (P.L. 105–234) delaying implementation of the Fastener Quality Act to allow the Secretary of Commerce to conduct a review of changes in fastener manufacturing processes and the existence of other regulatory programs covering fasteners. The review was submitted to the Congress on February 24, 1999, in coordination with several other Federal agencies which have public safety responsibilities including the Defense Industrial Supply Center, the National Highway Traffic Safety Administration, the Federal Aviation Administration, and National Aeronautics and Space Administration.

This bill reflects the findings and recommendations of that report. The bill's content further represents discussions between both the Senate Commerce Committee and the House Science Committee, the Department of Commerce, and private industry representatives. Mr. President, let me note that if these revisions to the Fastener Quality Act are not implemented into law by June 24 of this year, the Secretary of Commerce will have no other choice but to implement the Act as originally passed in 1990. Therefore, several of the nation's key industries may be brought to a halt due to lack of certified fasteners. The impact of such a slow down would be disastrous both economically and in terms of continuous flow of products and services to maintain our current way of life.

The bill defines fasteners as ''a metallic screw, nut, bolt, or stud having internal or external threads, with a nominal diameter of one-fourth inch or greater, or a load-indicating washer, that is through-hardened or represented as meeting through-hardening, and that is grade identification marked or represented as meeting a consensus standard that requires grade identification marking.'' This definition substantially reduces the scope of covered fasteners under the Act.

The bill also establishes a hotline in which the public may notify the Department of Commerce of alleged violations of the Fastener Quality Act. It requires record keeping for a period of five years, instead of the previous ten years, via both traditional and electronic means.

To address current inventory concerns, the Act will be applicable only to fasteners fabricated 180 days after the enactment of this bill.

Furthermore, in cases of fasteners manufactured to a consensus standard or standards that require end-of-line testing, the testing is to be performed by an accredited laboratory. This accredited laboratory requirement shall not take effect until two years after enactment of this Act.

Therefore, I, along with my co-sponsors, urge the members of this body to support this bill and to provide the needed legislation which will allow several key industries in this country continuous operation in a safe and responsible manner.

By Mr. DOMENICI (for himself, Mr. WELLSTONE, Mr. CHAFEE,

Mr. SPECTER, Mr. REID, Mr. SARBANES, and Mr. KENNEDY):

S. 796. A bill to provide for full parity with respect to health insurance coverage for certain severe biologically-based mental illnesses and to prohibit limits on the number of mental illness-related hospital days and outpatient visits that are covered for all mental illnesses; to the Committee on Health, Education, Labor, and Pensions.

MENTAL HEALTH EQUITABLE TREATMENT ACT OF 1999

Mr. DOMENICI. Mr. President, today I rise with great pleasure to introduce the Mental Health Equitable Treatment Act of 1999. I also thank Senator WELLSTONE, my cosponsor, and the other Senators who have already joined me in an effort to make this case. This will say to the insurance companies and the businesses of America, unless they have 25 or fewer employees, their insurance coverage of their employees and their employees' families, if there is going to be mental illness or mental disease coverage, they will have to, as to severe illnesses, have coverage with full parity. As to other mental illnesses, they will have to stop trying to get around the parity law by cutting some of the copays and the like. This will prohibit that.

Essentially, we are going to take a piece of America that is currently discriminated against in health care because those Americans do not have a disease that is a disease of the heart but have a disease of the brain. We now can define it sufficiently that there is no reason to cover one and not the other, and in the process we will stop discriminating against about 10 million American families.

Mr. President, I rise today with great pleasure and excitement to introduce the Mental Health Equitable Treatment Act of 1999. I would also like to thank Senator WELLSTONE for once again joining me to cosponsor this important piece of legislation.

The human brain is the organ of the mind and just like the other organs of our body, it is subject to illness. And just as illnesses to our other organs require treatment, so too do illnesses of the brain.

Medical science is in an era where we can accurately diagnose mental illnesses and treat those afflicted so they can be productive. I would ask then, why with this evidence would we not cover these individuals and treat their illnesses like any other disease?

We should not. So, I would submit there should not be a difference in the coverage provided by insurance companies for mental health benefits and medical benefits.

The introduction of this bill marks a historic opportunity for us to take the next step toward mental health parity. As my colleagues know, this is an issue I have a long involvement with and I would like to begin with a few observations.

I believe that we have made great strides in providing parity for the coverage of mental illness. However, mental illness continues to exact a heavy toll on many, many lives.

Even though we know so much more about mental illness, it can still bring devastating consequences to those it touches; their families, their friends, and their loved ones. These individuals and families not only deal with the societal prejudices and suspicions hanging on from the past, but they also must contend with unequal insurance coverage.

I would submit the Mental Health Parity Act of 1996 is a good first start, but the act is also not working. While there may be adherence to the letter of the law, there are certainly violations of the spirit of the law. For instance, ways are being found around the law by placing limits on the number of covered hospital days and outpatient visits.

That is why I believe it is time for a change.

Some will immediately say we cannot afford it or that inclusion of this treatment will cost too much. But, I would first direct them to the results of the Mental Health Parity Act of 1996. That law contains a provision allowing companies to no longer comply if their costs increase by more than 1 percent.

And do you know how many companies have opted out because their costs have increased by more than 1 percent? Only four companies out of all the companies throughout the country.

Mr. President, with that in mind I would like to share a couple of facts about mental illness with my colleagues:

Within the developed world, including the United States, 4 of the 10 leading causes of disability for individuals over the age of 5 are mental disorders.

In the order of prevalence the disorders are major depression, schizophrenia, bipolar disorder, and obsessive compulsive disorder.

Disability always has a cost and the direct cost to the United States per year for respiratory disease is $99 billion, cardiovascular disease is $160 billion, and finally $148 billion for mental illness.

One in every five people—more than 40 million adults—in this Nation will be afflicted by some type of mental illness.

Nearly 7.5 million children and adolescents, or 12 percent, suffer from one or more mental disorders.

Schizophrenia alone is 50 times more common than cystic fibrosis, 60 times more common than muscular dystrophy and will strike between 2 and 3 million Americans.

Let us also look at the efficacy of treatment for individuals suffering from certain mental illnesses, especially when compared with the success rates of treatments for other physical ailments. For a long time, many who are in this field—especially on the insurance side—have behaved as if you get far better results for angioplasty then you do for treatments for bipolar illness.

Treatment for bipolar disorders—this is, those disorders characterized by extreme lows and extreme highs—have an 80-percent success rate if you get treatment, both medicine and care. Schizophrenia, the most dreaded of mental illnesses, has a 60-percent success rate in the United States today if treated properly. Major depression has a 65-percent success rate.

Let's compare those success rates to several important surgical procedures that everybody thinks we ought to be doing: Angioplasty has a 41-percent success rate; atherectomy has a 52-percent success rate.

I would now like to take a minute to discuss the Mental Health Equitable Treatment Act of 1999. The bill seeks a very simple goal: (1) provide full parity for severe biologically based mental illnesses; (2) prohibit limits on the number of covered hospital days and outpatient visits; and (3) eliminate the Mental Health Parity Act's sunset provision.

The bill would provide full parity for the following mental illnesses: schizophrenia, bipolar disorder, major depression, obsessive compulsive and severe panic disorders, posttraumatic stress disorder, autism, and other severe and disability mental disorders.

Like the Mental Health Parity Act of 1996, the bill does not require a health plan to provide coverage for alcohol and substance abuse benefits. Moreover, the bill does not mandate the coverage of mental health benefits, rather the bill only applies if the plan already provides coverage for mental health benefits.

In conclusion, the bill expands full parity to those suffering from a severe biologically based mental illness and it closes a loophole in the Mental Health Parity Act of 1996 by prohibiting limits on the number of covered hospital days and outpatient visits and I would urge my colleagues to support this important piece of legislation.

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

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

S. 796

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 ''Mental Health Equitable Treatment Act of 1999''.

SEC. 2. AMENDMENTS TO THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.

(a) IN GENERAL.—Section 712 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1185a) is amended—

(1) in subsection (a), by adding at the end the following:

''(3) HOSPITAL DAY AND OUTPATIENT VISIT LIMITS.—In the case of a group health plan (or health insurance coverage offered in connection with such a plan) that provides both

medical and surgical benefits and mental health benefits—

''(A) NO INPATIENT LIMITS.—If the plan or coverage does not include a limit on the number of days of coverage provided for inpatient hospital stays in connection with covered medical and surgical benefits, the plan or coverage may not impose any limit on inpatient hospital stays for mental health benefits.

''(B) CERTAIN INPATIENT LIMITS.—If the plan or coverage includes a limit on the number of days of coverage provided for inpatient hospital stays in connection with certain covered medical and surgical benefits, the plan or coverage may impose comparable limits on inpatient hospital stays for mental health benefits.

''(C) NO OUTPATIENT LIMITS.—If the plan or coverage does not include a limit on the number of outpatient visits in connection with covered medical and surgical benefits, the plan or coverage may not impose any limit on the number of outpatient visits for mental health benefits.

''(D) CERTAIN OUTPATIENT LIMITS.—If the plan or coverage includes a limit on the number of outpatient visits in connection with certain covered medical and surgical benefits, the plan or coverage may impose comparable limits on the number of outpatient visits for mental health benefits.

''(4) SEVERE MENTAL ILLNESS.—In the case of a group health plan (or health insurance coverage offered in connection with such a plan) that provides medical and surgical benefits and mental health benefits, such plan or coverage shall not impose any limitations on the coverage of benefits for severe biologically-based mental illnesses unless comparable limitations are imposed on medical and surgical benefits.'';

(2) by striking subsection (b) and inserting the following:

''(b) CONSTRUCTION.—

''(1) IN GENERAL.—Nothing in this section shall be construed—

''(A) as requiring a group health plan (or health insurance coverage offered in connection with such a plan) to provide any mental health benefits; or

''(B) in the case of a group health plan (or health insurance coverage offered in connection with such a plan) that provides mental health benefits, as affecting the terms and conditions (including cost sharing and requirements relating to medical necessity) relating to the amount, duration, or scope of mental health benefits under the plan or coverage, except as specifically provided in subsection (a) (in regard to parity in the imposition of aggregate lifetime limits and annual limits and limits on inpatient stays or outpatient visits for mental health benefits).

''(2) CARE, TREATMENT, AND DELIVERY OF SERVICES.—Nothing in this subpart shall be construed to prohibit the provision of care or treatment, or delivery of services, relating to mental health services, by qualified health professionals within their scope of practice as licensed or certified by the appropriate State or jurisdiction.'';

(3) in subsection (c)—

(A) by striking paragraph (2); and

(B) in paragraph (1)—

(i) by striking subparagraphs (A) and (B) and inserting the following:

''(A) IN GENERAL.—This section shall not apply to any group health plan (and group health insurance coverage offered in connection with a group health plan) for any plan year of any employer who employed an average of at least 2 but not more than 25 employees on business days during the preceding calendar year.'';

(ii) by redesignating subparagraphs (A) and (C) as paragraphs (1) and (2), respectively, and realigning the margins accordingly; and

(iii) in paragraph (2) (as so redesignated), by redesignating clauses (i) through (iii) as subparagraphs (A) through (C), respectively;

(4) in subsection (e), by adding at the end the following:

''(5) SEVERE BIOLOGICALLY-BASED MENTAL ILLNESS.—The term 'severe biologically-based mental illness' means an illness that medical science in conjunction with the Diagnostic and Statistical Manual of Mental Disorders (DSM IV) affirms as biologically based and severe, including schizophrenia, bipolar disorder, major depression, obsessive compulsive and panic disorders, posttraumatic stress disorder, autism, and other severe and disabling mental disorders such as anorexia nervosa and attention-deficit/hyper activity disorder.''; and

(5) by striking subsection (f).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to plan years beginning on or after January 1, 2000.

SEC. 3. AMENDMENTS TO THE PUBLIC HEALTH SERVICE ACT RELATING TO THE GROUP MARKET.

(a) IN GENERAL.—Section 2705 of the Public Health Service Act (42 U.S.C. 300gg-5) is amended—

(1) in subsection (a), by adding at the end the following:

''(3) HOSPITAL DAY AND OUTPATIENT VISIT LIMITS.—In the case of a group health plan (or health insurance coverage offered in connection with such a plan) that provides both medical and surgical benefits and mental health benefits—

''(A) NO INPATIENT LIMITS.—If the plan or coverage does not include a limit on the number of days of coverage provided for inpatient hospital stays in connection with covered medical and surgical benefits, the plan or coverage may not impose any limit on inpatient hospital stays for mental health benefits.

''(B) CERTAIN INPATIENT LIMITS.—If the plan or coverage includes a limit on the number of days of coverage provided for inpatient hospital stays in connection with certain covered medical and surgical benefits, the plan or coverage may impose comparable limits on inpatient hospital stays for mental health benefits.

''(C) NO OUTPATIENT LIMITS.—If the plan or coverage does not include a limit on the number of outpatient visits in connection with covered medical and surgical benefits, the plan or coverage may not impose any limit on the number of outpatient visits for mental health benefits.

''(D) CERTAIN OUTPATIENT LIMITS.—If the plan or coverage includes a limit on the number of outpatient visits in connection with certain covered medical and surgical benefits, the plan or coverage may impose comparable limits on the number of outpatient visits for mental health benefits.

''(4) SEVERE MENTAL ILLNESS.—In the case of a group health plan (or health insurance coverage offered in connection with such a plan) that provides medical and surgical benefits and mental health benefits, such plan or coverage shall not impose any limitations on the coverage of benefits for severe biologically-based mental illnesses unless comparable limitations are imposed on medical and surgical benefits.'';

(2) by striking subsection (b) and inserting the following:

''(b) CONSTRUCTION.—

''(1) IN GENERAL.—Nothing in this section shall be construed—

''(A) as requiring a group health plan (or health insurance coverage offered in connection with such a plan) to provide any mental health benefits; or

''(B) in the case of a group health plan (or health insurance coverage offered in connection with such a plan) that provides mental health benefits, as affecting the terms and conditions (including cost sharing and requirements relating to medical necessity) relating to the amount, duration, or scope of mental health benefits under the plan or coverage, except as specifically provided in subsection (a) (in regard to parity in the imposition of aggregate lifetime limits and annual limits and limits on inpatient stays or outpatient visits for mental health benefits).

''(2) CARE, TREATMENT, AND DELIVERY OF SERVICES.—Nothing in this part shall be construed to prohibit the provision of care or treatment, or delivery of services, relating to mental health services, by qualified health professionals within their scope of practice as licensed or certified by the appropriate State or jurisdiction.'';

(3) by striking subsection (c) and inserting the following:

''(c) EXEMPTION.—This section shall not apply to any group health plan (and group health insurance coverage offered in connection with a group health plan) for any plan year of any employer who employed an average of at least 2 but not more than 25 employees on business days during the preceding calendar year.'';

(4) in subsection (e), by adding at the end the following:

''(5) SEVERE BIOLOGICALLY-BASED MENTAL ILLNESS.—The term 'severe biologically-based mental illness' means an illness that medical science in conjunction with the Diagnostic and Statistical Manual of Mental Disorders (DSM IV) affirms as biologically based and severe, including schizophrenia, bipolar disorder, major depression, obsessive compulsive and panic disorders, posttraumatic stress disorder, autism, and other severe and disabling mental disorders such as anorexia nervosa and attention-deficit/hyper activity disorder.''; and

(5) by striking subsection (f).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to plan years beginning on or after January 1, 2000.

SEC. 4. PREEMPTION.

Nothing in the amendments made by this Act shall be construed to preempt any provision of State law that provides protections to enrollees that are greater than the protections provided under such amendments.

MENTAL HEALTH EQUITABLE TREATMENT ACT OF 1999—SUMMARY

The Bill seeks to ensure greater parity in the coverage of mental health benefits by prohibiting limits on the number of covered hospital days and outpatient visits for all mental illnesses and providing full parity for specified severe adult and child mental illnesses.

The Bill only applies to group health plans already providing mental health benefits.

PROHIBITION ON DAY AND VISIT LIMITS FOR ALL MENTAL ILLNESSES

Expands the Mental Health Parity Act of 1996 (MHPA) to include parity for the number of covered hospital days and outpatient visits for all mental illnesses.

FULL PARITY FOR SEVERE BIOLOGICALLY-BASED MENTAL ILLNESSES

Provides full parity for the following severe biologically-based mental illnesses: schizophrenia, bipolar disorder, major depression, obsessive compulsive and severe panic disorders, post traumatic stress disorder, autism, and other severe and disabling mental disorders such as, anorexia nervosa and attention-deficit/hyperactivity disorder.

The term ''severe biologically-based mental illness'' means the above illnesses as defined by current medical science in conjunction with the Diagnostic and Statistical Manual of Mental Disorders (DSM IV).

REQUIREMENTS AND EXEMPTIONS

Elimination of the September 30, 2001 sunset provision in the MHPA.

Like the MHPA the bill does not require plans to provide coverage for benefits relating to alcohol and drug abuse.

There is a small business exemption for companies with 25 or fewer employees.

Mr. WELLSTONE. Mr. President, today I rise to introduce the Mental Health Equitable Treatment Act of 1999, a bit that will ensure that private health insurance companies provide the same level of coverage for mental illness as they do for other diseases. This bill will be a major step toward ending the discrimination against people who suffer from mental illness.

For too long, mental illness has been stigmatized, or viewed as a character flaw, rather than as the serious disease that it is. A cloak of secrecy has surrounded this disease, and people with mental illness are often ashamed and afraid to seek treatment, for fear that they will be seen as admitting a weakness in character. We have all seen portrayals of mentally ill people as somehow different, as dangerous, or as frightening. Such stereotypes only reinforce the biases against people with mental illness. Can you imagine this type of portrayal of someone who has a cardiac problem, or who happens to carry a gene that predisposes them to diabetes?

Although mental health research has well-established the biological, genetic, and behavioral components of many of the forms of serious mental illness, the illness is still stigmatized as somehow less important or serious than other illnesses. Too often, we try to push the problem away, deny coverage, or blame those with the illness for having the illness. We forget that someone with mental illness can look just like the person we see in the mirror, or the person who is sitting next to us on a plane. It can be our mother, or brother, or son, or daughter. It can be one of us. We have all known someone with a serious mental illness, within our families or our circle of friends, or in public life. Many people have courageously come forward to speak about their personal experiences with their illness, to help us all understand better the effects of this illness on a person's life, and I commend them for their courage.

The statistics concerning mental illness, and the state of health care coverage for adults and children with this disease are startling, and disturbing.

One severe mental illness affecting millions of Americans is major depression. The National Institute of Mental Health, a NIH research institute, within the U.S. Department of Health and Human Services, describes serious depression as a critical public health problem. More than 18 million people in the United States will suffer from a depressive illness this year, and many will be unnecessarily incapacitated for weeks or months, because their illness goes untreated. The cost to the Nation in 1990 was estimated to be between $30–$44 billion. The suffering of depressed people and their families is immeasurable.

Depressive disorders are not the normal ups and downs everyone experiences. They are illnesses that affect mood, body, behavior, and mind. Depressive disorders interfere with individual and family functioning. Without treatment, the person with a depressive disorder is often unable to fulfill the responsibilities of spouse or parent, worker or employer, friend or neighbor.

Available medications and psychological treatments, alone or in combination, can help 80 percent of those with depression. But without adequate treatment, future episodes of depression may continue or worsen in severity. Yet, the steady decline in the quality and breadth of health care coverage is truly disturbing.

The results of a major survey of employer-provided health plans was published in 1998 by the Hay Group, an independent benefits consulting firm. The Hay Report showed a major decline in benefits in the last decade:

Employer-provided mental health benefits decreased 54%—while benefits for general health decreased only 7%;

Even before this erosion occurred, mental health benefits made up only 6% of total medical benefits paid by employers. Today—that has been cut in half—it is down to 3%;

The number of plans restricting hospitalization for mental disorders increased by 20%;

Descriptions of benefit limits themselves are misleading. Although plans may say that they allow 30 days for hospitalization, this is rarely approved. In 1996, the average length of stay was 8½ days, down from 17 in 1991.

In 1988, most insurance plans allowed 50 therapy sessions per years. In 1997, the average number was 20.

A 1998 study published by Health Affairs found that between 1991 and 1995, HMO enrollees were twice as likely to encounter limits on psychiatric visits, and about three times as likely to have separate, and higher, copayments than for general medical health care.

No one, of course, expects coverage of any illness to cost nothing. But what we do know is that fears of spiraling costs for mental health treatment are unfounded. Studies from HHS that have examined the effects of mental health and substance abuse treatment parity have shown that full parity for these benefits would be just slightly higher than current premiums. Most reports, like the one requested by Congress from the National Advisory Mental Health Counsel, showed that when mental health coverage is managed, either moderately or tightly, that premium increases can be as low as 1%.

These costs are so low. And the cost of NOT treating is so high—especially when one looks at the toll that untreated mental illness takes on individuals, families, employers, corporations, social service systems, and criminal justice systems. I have seen first hand in the juvenile corrections system what happens when mental illness is criminalized, when youth with mental illness are incarcerated for exhibiting symptoms of their illness. To treat ill people as criminals is outrageous is outrageous and immoral. We must make treatment for this illness as available and as routine as treatment for any other disease. The discrimination must stop.

Our bill includes parity for hospital day and outpatient visits for all mental illnesses. Additionally, for many of the most severe adult and child mental illnesses, the bill establishes full parity, i.e., parity for copayments, deductibles, hospital day, and outpatient visit benefits. The bill also provides protection for non-physician providers, and for states with stronger parity bills; it also includes a small business exemption, and eliminates the sunset provision and the 1% exemption from the 1996 Mental Health Parity Act. Covered services include inpatient treatment; non-hospital residential treatment; outpatient treatment, including screening and assessment, medication management, individual, group and family counseling; and prevention services, including health education and individual and group counseling to encourage the reduction of risk factors for mental illness.

The Mental Health Equitable Treatment Act of 1999 provides for major improvements in coverage for mental illness by private health insurers. It does not require that mental health benefits be part of a health benefits package, but establishes a requirement for parity in coverage for those plans that offer mental health benefits. This bill goes a long way toward our bipartisan goal: that mental illness be treated like any other disease in health care coverage.

Mr. President, the Mental Health Equitable Treatment Act of 1999 is designed to take a large step toward ending the suffering of those with mental illness who have been unfairly discriminated against in their health coverage. We must end this discrimination.

Mr. CHAFEE. Mr. President, I am pleased to join my colleagues, Senators DOMENICI and WELLSTONE, in introducing the Mental Health Equitable Treatment Act of 1999, and I applaud them for their leadership on this issue. This legislation is an important step towards ensuring that people with mental illness have access to the care they need.

For too long, insurance plans have treated patients with mental illnesses differently than those with physical illnesses. However, research has proven the biological origins of mental illness. It is now time to bring coverage of mental illness into the 20th century. There is no rational basis for excluding or limiting coverage for such conditions; doing so is patently discriminatory. Enactment of the Mental Health Parity Act in 1996, which I cosponsored,

was the first step in correcting this disparity. This legislation builds upon the 1996 law by adding some important new protections.

In my home state of Rhode Island, over 28,000 people are suffering from severe mental illnesses such as schizophrenia, bipolar disorder and major depression. These disorders can be as threatening to the health of the patient as physical illnesses, such as cancer or AIDS. Discriminatory coverage restrictions or cost-sharing requirements—such as limits on the number of therapy visits or disparate co-payments—place an undue hardship on these patients at a time when they require medical care.

If left untreated, mental illnesses can result in more serious disability or even death. This legislation takes another step in helping to prevent such tragedies. I hope we one day will be able to end discrimination in the coverage of all mental illnesses. I urge my colleagues to support this measure.

By Mr. ASHCROFT:

S. 797. A bill to apply the Foreign Corrupt Practices Act of 1977 to the International Olympic Committee; to the Committee on Banking, Housing, and Urban Affairs.

INTERNATIONAL OLYMPIC COMMITTEE INTEGRITY ACT OF 1999

Mr. ASHCROFT. Mr. President, for decades Americans have watched with awe and amazement at the invigorating achievements of the world's Olympic athletes. When Gail Devers and Wendy Williams won Olympic medals, they inspired their hometown of Bridgeton, Missouri. When Nikki Ziegelmeyer won a speed skating Olympic medal, her hometown of Imperial Missouri cheered. And when Ray Armstead helped win the 4 by 400 meter relay, St. Louis was proud of its native son.

Gail, Wendy, Nikki and Ray won through sheer talent, toil and sweat. They pursued Olympic fame with honor and integrity, competed fairly, and won with dignity. Their athletic grace on the world stage helped spark dreams of future Olympic glory in young people today.

But now the Olympic torch has been dimmed, and the five Olympic rings have been tarnished by bribes and graft given to secure victory at any price. The victory pursued with moneyed vengeance was not in athletic competition. In this scandal, the Olympic athletes are the innocents, yet the scandal tarnishes their achievement. The villains at ground zero are those who decided where the games were to be played and those who hosted or will host the games. Such irony: Scandal torches the competition to host the world's most competitive and honorable games.

The facts are bleak—in their attempts to land the 2002 Olympics, leaders of the Salt Lake City Olympic Committee spent $4 million on gifts, scholarships, cash payments and other inducements for International Olympic Committee members; allegations by senior Olympic officials have raised questions about payments that may have been made to influence the selection of other Olympic cities; the Justice Department has launched a criminal investigation into payments by Salt Lake City Olympic Officials; an independent investigation conducted by former Senator George Mitchell and former White House Chief of Staff Ken Duberstein concluded that receipt of ''valuables'' by International Olympic Committee members has become ''widespread, notorious, continuous, unchecked and ingrained in the way Olympic business is done.''; and the International Olympic Committee has expelled six of its members for corruption.

Now that these problems have been exposed to the world, the question is what should be done to stop this bribery from destroying the Olympic movement.

Today, Senator MCCAIN took a step in the right direction by convening a hearing in the Senate Commerce Committee. I regret the decision by the President of the International Olympic Committee, Juan Antonio Samaranch, to not attend that hearing. And I take exception with the comments of one of the IOC witnesses who told the Associated Press, and I quote, ''What I'm afraid is that they're doing it for political advantage and not for the benefit of anybody except for themselves. They just get on a soap box and preach their righteousness.''

Well, it is crystal clear to me that Congress should, for our Olympic athletes and the hometowns they represent, use soap and scrubbing and scrutiny to clean up this mess.

Mr. President, today I am introducing legislation that is a vital step in restoring integrity to the IOC host city bidding process. The International Olympic Committee Integrity Act will expand the coverage of the Foreign Corrupt Practices Act to include the IOC. The FCPA prohibits U.S. businesses from offering bribes or kickbacks to foreign officials. The U.S. Olympic Committee has asked President Clinton to issue an executive order to cover the IOC under the FCPA. To date, the President has not done so. My bill accomplishes what the U.S. Olympic Committee has requested and that is to outlaw the gifts and payments such as those that have been made in the past to International Olympic Committee officials.

In addition, I am keeping open the option of removing the federal tax deduction that federal tax law provides for contributions made to the International Olympic Committee. I will review the testimony of IOC witnesses from today's Commerce Committee hearing before making a final decision.

In closing, Mr. President, we should give credit where it is due. When faced with a serious mistake that has been made, a test of character is whether you do the next right thing. Once the Salt Lake City problem was discovered, officials at the U.S. Olympic Committee responded quickly. The USOC asked for the Mitchell-Duberstein investigation I mentioned earlier. The USOC has implemented a series of internal and external reforms of procedures used to apply for hosting the Olympic Games. The USOC has strengthened ethics rules, and created a compliance officer to monitor U.S. bid cities. And, in the future, all honoraria received by committee members must be forfeited to the group's chief financial officer.

We have much more to do in order to restore confidence and dignity to the Olympics. I urge my colleagues to join me in support of the International Olympic Committee Integrity Act. We owe it to Gail Devers, Wendy Williams, Nikki Ziegelmeyer, Ray Armstead and all future Olympic athletes.

By Mr. MCCAIN (for himself, Mr. BURNS, Mr. WYDEN, Mr. LEAHY, Mr. ABRAHAM, and Mr. KERRY):

S. 798. A bill to promote electronic commerce by encouraging and facilitating the use of encryption in interstate commerce consistent with the protection of national security, and for other purposes; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF THE ''PROTECT'' ACT

Mr. BURNS. Mr. President, as the Members of the Senate know, for several years I have advocated the enactment of legislation that would facilitate the use of strong encryption. Beginning in the 104th Congress, I have introduced legislation that would ensure that the private sector continues to take the lead in developing innovative products to protect the security and confidentiality of our electronic information including the ability to export such American products.

I am pleased to rise today to introduce with my Chairman, Senator MCCAIN, the PROTECT ACT of 1999 (Promote Reliable On Line Transactions To Encourage Commerce and Trade). The bill reflects a number of discussions we have had this year about the importance of encryption in the digital age to promote electronic commerce, secure our confidential business and sensitive personal information, prevent crime and protect our national security by protecting the commercial information systems and electronic networks upon which America's critical infrastructures increasingly rely. I am extremely pleased to join with him in introducing this important legislation.

While this bill differs in important respects from the PRO-CODE legislation I introduced in the previous Congress, I do think it accomplishes a number of very important objectives. Specifically, the bill:

Prohibits domestic controls;

Guarantees that American industry will continue to be able to come up with innovative products;

Immediately decontrols encryption products using key lengths of 64 bits or less;

Permits the immediate exportability of 128 bit encryption in recoverable encryption products and in all encryption products to a broad group of legitimate and responsible commercial users and to users in allied countries;

Recognizes the futility of unilateral export controls on mass market products and where there are foreign alternatives and so permits the immediate exportability of strong encryption products whenever a public-private advisory board and the Secretary of Commerce determines that they are generally available, publicly available, or available from foreign suppliers;

Directs NIST to complete establishment of the Advanced Encryption Standard with 128 bit key lengths (the DES successor) by January 1, 2002 (and ensures that it is led by the private sector and open to public comment); and

Decontrols thereafter products incorporating the AES or its equivalent.

Today, we are in a world that is characterized by the fact that nearly everyone has a computer and that those computers are, for the most part, connected to one another. In light of that fact, it is becoming more and more important to ensure that our communications over these computer networks are conducted in a secure way. It is no longer possible to say that when we move into the information age, we'll secure these networks, because we are already there. We use computers in our homes and businesses in a way that couldn't have been imagined 10 years ago, and these computers are connected through networks, making it easier to communicate than ever before. This phenomenon holds the promise of transforming life in States like Montana, where health care and state-of-the-art education can be delivered over networks to people located far away from population centers. These new technologies can improve the lives of real people, but only if the security of information that moves over these networks is safe and reliable.

The problem today is that our computer networks are not as secure as they could be; it is fairly easy for amateur hackers to break into our networks. They can intercept information; they can steal trade secrets and intellectual property; they can alter medical records; the list is endless. One solution to this, of course, is to let individuals and businesses alike to take steps to secure that information. Encryption is one technology that accomplishes that.

I am proud that today I have been able to join with Senator MCCAIN to introduce this legislation which will enable Americans to use the Internet with confidence and security.

Mr. LEAHY. Mr. President, this is the third Congress in which I have introduced and sponsored legislation to update our country's encryption policies. My objective has been to bolster the competitive edge of our Nation's high-tech companies, allow Americans to protect their online and electronically stored confidential information, trade secrets and intellectual property, and promote global electronic commerce. I am pleased to join Senators MCCAIN, WYDEN and BURNS, in this continuing effort with the ''Promote Reliable On-Line Transactions to Encourage Commerce and Trade (PROTECT) Act of 1999.''

In May 1996, I chaired a hearing on the Administration's ill-fated Clipper Chip key escrow encryption program that drove home the need for relaxed export controls on strong encryption. U.S. export controls on encryption technology were having a clear negative effect on the competitiveness of American hi-tech companies. Moreover, these controls were discouraging the use of strong encryption domestically since manufacturers generally made and marketed one product for both for export and for domestic use here. At that hearing I heard testimony about 340 foreign encryption products that were available worldwide—including for import into the United States—155 of which employed encryption in a strength that American companies were prohibited from exporting. That number has grown exponentially. As of December, 1997, there were 656 foreign encryption products available from 474 vendors in 29 different foreign countries.

American companies certainly do not enjoy a monopoly on encryption know-how. The U.S. Commerce Department's National Institute for Standard and Technology (NIST) is developing an Advanced Encryption Standard (AES) to update the U.S. Data Encryption Standard (DES), the current global encryption standard. Only 5 of the 15 AES candidate algorithms submitted to NIST for evaluation were proposed from American companies or individuals. The remaining proposals came from Australia, Canada, France, Germany, Japan, Korea, United Kingdom, Israel, Norway, and Belgium.

In the 104th Congress, I introduced encryption legislation on March 5, 1996, with Senators BURNS, Dole, MURRAY and others, to help Americans better protect their online privacy and allow American companies to compete more effectively in the global hi-tech marketplace. Specifically, the ''Encrypted Communications Privacy Act of 1996,'' S. 1587, would have relaxed export controls on strong encryption and promoted the widespread use of encryption to protect the security, confidentiality and privacy of online communications and stored electronic data. This bill would have legislatively confirmed the freedom of Americans to use and sell in the United States any encryption technology that most appropriately met their privacy and security needs. In addition, this bill would have relaxed export controls to allow the export of encryption products when comparable strength encryption was available from foreign suppliers, and encryption products that were generally available or in the public domain.

In the years since that bill was introduced, the Administration has made some positive changes in its export policies. In October 1996, the Administration allowed the export of 56-bit DES encryption by companies that agreed to develop key recovery systems. This policy was supposed to sunset in two years. I strongly criticized this policy at the time, warning that this ''sunset'' provision ''does not promote our high-tech industries overseas.'' In fact, when the time came last year to return to the old export regime that allowed the export of only 40-bit encryption, the Administration relented and continues to permit the export of 56-bit encryption, with the condition of developing encryption programs with recoverable keys.

The proposals I made in 1996 made sense then, and versions of these provisions are incorporated into the PROTECT Act today.

Specifically, the PROTECT Act would provide immediate relief by allowing the export of encryption using key lengths of up to 64 bits. In addition, stronger encryption (more than 64-bit key lengths) would be exportable under a license exception, upon determination by a new Encryption Export Advisory Board that the product or service is generally available, publicly available or a comparable product is available from a foreign supplier. This determination is subject to approval by the Secretary of Commerce and to override by the President on national security grounds.

This relief is important since the time and effort to crack 56-bit DES encryption is getting increasingly short. Indeed, earlier this year, a group of civilian computer experts broke a 56-bit encrypted message in less than 24 hours, beating a July 1998 effort that took 56 hours.

The breaking of 56-bit encryption comes as no surprise to those doing business, engaging in research, or conducting their personal affairs online. While 56-bit encryption may still serve as the global standard, this will not be the situation for much longer. 128-bit encryption is now the preferred encryption strength.

For example, in order to access online account information from the Thrift Savings Plan for Federal Employees, Members and congressional staff must use 128-bit encryption. If you use weaker encryption, a screen pops up to say ''you cannot have access to your account information because your Web browser does not have Secure Socket Layer (SSL) and 128-bit encryption (the strong U.S./Canada-only version).''

Likewise, the Department of Education has set up a Web site that allows prospective students to apply for student financial aid online. Significantly, the Education's Department

states that ''[t]o achieve maximum protection we recommend you use 128-bit encryption.''

These are just a couple examples of government agencies or associated organizations directing or urging Americans to use 128-bit encryption. We should assume that people in other countries are getting the same directions and recommendations. Unfortunately, while American companies can fill the demand for this strong encryption here, they are not permitted to sell it abroad for use by people in other countries.

Significantly, the PROTECT Act would permit the export of 128-bit (and higher) AES products by January 1, 2002. While not providing relief as quickly as I have urged in other encryption legislation, including the E-PRIVACY Act, S. 2067, in the last Congress, this bill moves in the right direction, and provides a sunset for unworkable encryption export controls. In my view, this bill would give most Internet users access to the strongest tools they need to protect their privacy starting in 2002—a long time by Net standards, but time our law enforcement and intelligence agencies say they need to address the global proliferation of strong encryption.

Encryption is a critical tool for Americans to protect their privacy and safeguard their confidential electronic information, such as credit card numbers, personal health information, or private messages, from online thieves and snoops. This is important to encourage the continued robust growth of electronic commerce. A March 1999 report of the Vermont Internet Commerce Research Project that I commissioned analyzed barriers to Internet commerce in my home State, and found that ''the strongest obstacle among consumers'' was the perceived lack of security.

Focusing on the export regime for encryption technology is only one aspect, albeit an important one, in the larger debate over how best to protect privacy in a digital and online environment. Legislation to provide encryption export relief is a start, but we also have important work to do in addressing broader privacy issues, such as establishing standards for law enforcement access to decryption assistance. I look forward to working with Senators MCCAIN, WYDEN and BURNS on passage of the PROTECT Act as well as other privacy legislation.

Mr. KERRY. Mr. President, today I join my esteemed colleagues, Senators MCCAIN, BURNS, WYDEN, LEAHY and ABRAHAM in introducing legislation that will encourage sales of US information technology products while at the same time protecting our national security interests. The Promote Reliable On-Line Transactions to Encourage Commerce and Trade (PROTECT) Act of 1999 is an important first step that recognizes that as the Internet becomes more of a presence in global commerce, there must be guarantees and assurances that business and personal information remains confidential. It also recognizes that the US companies are leaders in creating the technology that serves this vital purpose, and that these companies are integral to our growing economy.

United States information technology companies have been frustrated by what they perceive as too-stringent controls on the export of their encryption products. These controls have served a vital purpose in protecting national security interests. The realities of the marketplace and the technology sector, however, suggest that it time to loosen our grip somewhat on the export controls we impose. Although the US is the leader in producing high quality, strong encryption products, other countries also have the ability to produce comparable products. We must recognize this reality and understand that while export controls can slow the spread of encrypted products, they cannot stop it. Importantly, controls that do not recognize this reality put our software industry at a disadvantage as it tries to compete in the global market.

Nothing, of course, is more important than our national security. This legislation maintains strong guidelines to ensure that encryption technology is not sold to countries that pose a threat to our national security. It puts in place a number of reasonable checks to make certain that US encryption technology does not get into the wrong hands. At the same time, it takes into consideration that where encryption products are generally or publicly available, we should not unduly limit their sale to responsible entities in NATO, OECD or ASEAN countries. To do so would not only cause potential harm to US industry, but it could also have an unintended negative impact on our own security.

I applaud Senator MCCAIN for taking this first step towards resolving a complicated problem. As we work through this and other legislation that attempts to address the issue of encryption exports, I hope we can incorporate the best features into the strongest possible bill.

By Mr. CAMPBELL:

S. 799. A bill to amend the Internal Revenue Code of 1986 to modify the tax brackets, eliminate the marriage penalty, allow individuals a deduction for amounts paid for insurance for medical care, increase contribution limits for individual retirement plans and pensions, and for other purposes; to the Committee on Finance.

TAX RELIEF

Mr. CAMPBELL. Mr. President, today I offer an important piece of legislation. The bill I offer today, called the American Family Tax Relief Act of 1999, is a modest, but important tax relief package. This bill is important for both substantive and symbolic reasons. Substantively, this bill provides all Americans with needed tax relief. If the need for tax relief isn't yet apparent to everyone, tomorrow will remind all Americans of the need when they submit tax returns which reflect an ever larger percentage of their income going to the federal government.

This bill is also important as a symbol to the American public that Congress remains committed to the principle of a smaller federal government and lower taxes. We should not use the unusually good economic times we enjoy as an excuse to delay providing tax relief to hard-working American families. No, we should instead take this wonderful opportunity to recommit ourselves to fiscal discipline and responsibility.

We are already taking important steps in this regard by locking up the social security trust fund to ensure its solvency. We are also devoting a significant portion of the surplus to retiring publicly held debt, which will reduce the drain on federal spending for interest on this debt. The next step is to provide tax relief. This is a platform many of us have stood upon, and is therefore a pledge we must honor. If we can't provide tax cuts in good times, think how difficult it would be in bad times.

This bill I offer today has five different components: the largest component of this legislation would lower all individual income tax rates by 5%. Although this is substantially less than the 10% tax cut I have also supported, this modest reduction will more easily fit in the budget offsets after social security solvency and debt retirement have been addressed. By letting all Americans keep more of their income, they will be free to spend or save more of it. By now, we all know that the end result of this is a healthier, more robust economy.

The second component would expand the lowest income tax bracket, a targeted tax break for middle income tax payers. In addition to the 5% across the board reduction, many middle income earners would now fall into the lowest tax bracket, thereby paying even lower taxes than they would under the existing tax code.

Third, I would repeal the marriage penalty. Last year during my reelection campaign, I heard from hundreds of Coloradans asking me to repeal this offensive part of the tax code. I agree with all of them that we need a tax code that underscores the value we place on encouraging families, not one that discourages or penalizes marriage. This bill would do that.

Fourth, this bill would bring needed relief to many taxpayers by allowing the full deductibility of health insurance. Even folks who don't meet the minimum criteria needed to itemize their deductions, often single folks or lower income folks, could still deduct their health insurance. This is a critical step towards providing all Americans with health insurance coverage and reducing the cost of this critical component of modern life.

The last piece of this bill would encourage greater individual responsibility for retirement planning. By allowing a taxpayer to contribute more into an IRA without being taxed, more individuals will contribute more to their own retirement. The end result would be less reliance and less strain on Social Security and other entitlement programs. The more Congress can lead the way in weaning ourselves off of federal entitlements by encouraging individual retirement planning, the more government will shrink while increasing its efficiency.

I conclude by inviting my colleagues to take a good look at this bill and work with me on reasonable changes and to support its passage.

By Mr. BURNS (for himself, Mr. MCCAIN, Mr. DORGAN, and Mr. WYDEN):

S. 800. A bill to promote and enhance public safety through the use of 9–1–1 as the universal emergency assistance number, further deployment of wireless 9–1–1 service, support of States in upgrading 9–1–1 capabilities and related functions, encouragement of construction and operation of seamless, ubiquitous, and reliable networks for personal wireless services, and for other purposes; to the Committee on Commerce, Science, and Transportation.

E–911 ACT OF 1999

Mr. BURNS. Mr. President, I am here today to talk about some good news for a change. I want to introduce the ''E–911 Act of 1999.'' The purpose of this legislation is to improve 911. By linking some of the amazing innovations in wireless technology to 911 and medical and emergency response professionals we bring our 911 systems into the 21st century.

All kinds of technologies exist today that can greatly reduce response time to emergencies and help victims get the right kind of medical attention quickly. But right now these technologies are not connected in ways that can be used for emergencies. That's why this effort to upgrade our 911 systems across the nation is so important and necessary.

The National Highway Traffic Safety Administration has conducted studies showing that crash-to-care time for fatal accidents is about a half hour in urban areas. In rural areas, which covers most of my home state of Montana, that crash-to-care time almost doubles. On average, it takes just shy of an hour to get emergency attention to crash victims in rural areas. Almost half of the serious crash victims who do not receive care in that first hour die at the scene of the accident. That's a scary statistic.

In 1997 there were 37,280 fatal motor vehicle crashes in the United States—41,967 people died as a result. Of that number, 2,098 were children. Now obviously there is no piece of legislation that can instantly prevent these kinds of tragedies. But there are definitely things we can do to help reduce them. Upgrading our 911 response systems, which this legislation promotes, is a solid step toward preventing many horrible tragedies.

Drew Dawson, who is the director of the Montana Emergency Medical Services Bureau and the president of the National Association of State Emergency Medical Services Directors, strongly supports the Wireless Communications and Public Safety Act of 1999. He tells me that the bill will help bring better wireless 911 coverage to Montana and will enhance our statewide Trauma Care System. Mr. Dawson believes this legislation will help him and his emergency folks do their jobs better, which means it will help them save more lives than they already do.

I have to say a word about all of the good work that folks like Drew Dawson in Montana and other emergency professionals do all over the country. The United States has the most skilled and dedicated group of medical and emergency professionals in the world. We need to give them better tools. There is technology out there that can help these professionals and that can help all of us citizens, if, God forbid, we ever find ourselves in an emergency situation needing this kind of help. The E–911 Act of 1999 will help all of us and will make our emergency services even better than they are today.

Mr. President, Let me take a moment to summarize the important sections of this bill.

It makes Congressional findings and specifies the purpose of the Act. The purpose of the Act is ''to encourage and facilitate the prompt deployment throughout the United States of a seamless, ubiquitous, and reliable end-to-end infrastructure for communications, including wireless communications, to meet the Nation's public safety and other communications needs.''

It assigns to the Federal Communications Commission, and any agency or entity to which it has delegated authority under Section 251 of the Communications Act of 1934, the duty to designate the number 911 as the universal emergency telephone number within the United States for reporting an emergency to appropriate authorities and requesting assistance. The universal number would apply both to wireless and wireline telephone service. The Commission, and any agency or entity, must establish appropriate periods for geographic areas in which 911 is not in use as an emergency telephone number to transition to the use of 911.

It establishes a principle of parity between the wireless and wireline telecommunications industries in protection from liability for: (1) the provision of telephone services, including 911 and emergency warning service, and (2) the use of 911 and emergency warning service. The bill provides for wireless providers of telephone service to receive at least as much protection under Federal, State or local law from liability as local exchange companies receive in providing telephone services. States cannot impose procedural barriers, such as requiring wireless providers to file tariffs, as a condition for wireless providers to receive the substantive protection from liability for which the legislation provides. The bill also provides for users of wireless 911 service to receive at least as much protection from liability under Federal, State or local law as users of wireline 911 service receive.

It amends Section 222 of the Communications Act of 1934 (47 U.S.C. 222) to provide appropriate privacy protection for call location information concerning the user of a commercial mobile service, including such information provided by an automatic crash notification system. The provision authorizes disclosure of such information to emergency dispatch providers and emergency service personnel in order to respond to the user's call for emergency services. The provision also is intended to allow disclosure of such information to the next-of-kin or legal guardian of a person as necessary in connection with the furnishing of medical care to such person as a result of an emergency. Finally, the customer of a commercial mobile radio service may grant broader authority (for example, in the customer's written subscription agreement with the service provider) for the use of, disclosure of, or access to call location information concerning users of the customer's commercial mobile service communications instrument (e.g., the customer's wireless telephone), but the customer must grant such authority expressly and in advance of such use, disclosure or access.

It provides definitions for terms used in the legislation.

That is the long version of what this bill is about. The short version is: it's about saving lives. Mr. President, I hope all of my colleagues will join me and help pass this important legislation.

Mr. MCCAIN. Mr. President, today I am pleased to cosponsor and support the E–911 Act of 1999, which has been introduced by Senator BURNS. I commend Senator BURNS for his outstanding work on this legislation which will help build a national wireless communications system and save lives.

Mr. President, I want to make sure that Americans everywhere can dial 9–1–1 to summon prompt assistance in an emergency. When a person is seriously injured, every second counts. In fact, medical trauma and public safety professionals speak of a ''golden hour''—the first hour after serious injury when the greatest percentage of lives can be saved. The sooner that the seriously injured get medical help, the greater the chance of survival. And prompt notification to the authorities is the first critical step in getting medical assistance to the injured.

I believe that injured Americans should be able to get emergency medical assistance as quickly as possible.

Over 60 million Americans carry wireless telephones. Some of these people own them specifically for safety reasons, in order to summon help in an emergency. Others would be willing to use their phones to report emergencies to the authorities.

But in many parts of the country when a person who is seriously injured—or a frantic bystander—calls 9–1–1 on their wireless telephone, nothing happens. Although many Americans think that 9–1–1 is already a national emergency number everywhere, it isn't. There are many places in America where 9–1–1 isn't the right number to call for help. The rule in America ought to be uniform and simple—if you have an emergency wherever you are, dial 9–1–1. This bill reduces the danger of not knowing what number to call, by making 9–1–1 the universal emergency telephone number.

Mr. President, I also believe that we also need to tie our citizens through their wireless telephones to emergency medical centers, police and firefighters so that they can get lifesaving assistance even when they are too injured to make a 9–1–1 call, or can make the call but cannot give their location. This bill supports the upgrading of 9–1–1 systems so that they can deliver more information, like location and automatic crash information data which will better enable emergency services to reach those incapacitated by injury. This legislation also promotes the expansion of the areas covered by wireless telephone service, so that more people can use wireless phones in an emergency. Because if a wireless telephone isn't within range of a wireless tower, a wireless call can't go through.

Mr. President, I would like to see an America where more people in more places can call 9–1–1 and quickly get the right help in emergencies. This legislation will help reduce medical response time for millions of Americans, by helping to make sure that people can use their wireless phones to call 9–1–1 immediately and get the ambulances rolling

I look forward to working with my colleagues on the Commerce Committee on this important life-saving legislation, and I urge all my colleagues to support it.

By Mr. SANTORUM:

S. 801. A bill to amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level; to the Committee on Finance.

REPEALING THE BEER TAX

Mr. SANTORUM. Mr. President, I rise today to introduce legislation pertaining to the federal excise tax on beer.

Many people are not aware that they pay enormous hidden taxes when they purchase any number of consumer products. The beer tax is one significant example of such a hidden tax. Bearing a disproportionate tax burden, forty-three percent of the cost of beer is comprised of both state and federal taxes.

The federal government doubled its tax on beer eight years ago. Today, though it is one of the more regressive taxes, the 100 percent beer tax increase remains as the only ''luxury tax'' enacted as part of the 1991 Omnibus Budget Reconciliation Act. While taxes on furs, jewelry, and yachts have been repealed through subsequent legislation, the federal beer tax remains in place with continued far reaching effects, including the loss of as many as 50,000 industry jobs. My legislation seeks to correct this inequity and will restore the level of federal excise tax to the pre-1991 tax rate.

Mr. President, I offer this bill as companion legislation to H.R. 1366 introduced by Representative PHIL ENGLISH.

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. 801

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

SECTION 1. REPEAL OF 1990 TAX INCREASE ON BEER.

(a) IN GENERAL.—Paragraph (1) of section 5051(a) of the Internal Revenue Code of 1986 (relating to imposition and rate of tax on beer) is amended by striking ''$18'' and inserting ''$9''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

By Mr. SANTORUM (for himself, Mr. CHAFEE, Mr. GREGG, Mr. FEINGOLD, Mr. DEWINE, Mr. BROWNBACK, Mr. SPECTER, and Ms. COLLINS):

S. 802. A bill to provide for a gradual reduction in the loan rate for peanuts, to repeal peanut quotas for the 2002 and subsequent crops, and to require the Secretary of Agriculture to purchase peanuts and peanut products for nutrition programs only at the world market price; to the Committee on Agriculture, Nutrition, and Forestry.

REFORM OF THE FEDERAL PEANUT PROGRAM

Mr. SANTORUM. Mr. President, I rise today to introduce a bill that would bring common sense reform to the federal peanut commodity program. This legislation would phase out the peanut quota program over three years, with the quota being eliminated in crop year 2002. I am joined today by several colleagues in this reform effort.

Under this legislation, the price support for peanuts that are grown for edible consumption is gradually reduced each year from the current support price of $610 per ton to $500 per ton by 2001. In the year 2002 and ensuing crop years, there would be no quotas on peanuts, and the Secretary of Agriculture would be required to make the non-recourse loan available to all peanut farmers at 85 percent of their estimated market value. This measure is consistent with the non-recourse loan programs available for other agriculture commodities.

Another component of this peanut reform bill would allow additional peanuts, those produced in excess of the farmer's quota poundage, to be used for sale to the school lunch program.

Mr. President, the federal peanut program, born in the 1930's during an era of massive change and dislocation in agriculture, is sorely out of place in today's agricultural sector. Other farm commodities are seeking new export opportunities abroad, building new markets and helping to improve our national balance of trade, however, the peanut industry is building new barriers to protect itself. The quota system stifles freedom for farmers, and it fosters a set of economic expectations that cannot be sustained without continued government intervention. Moreover, failure to reform this program costs consumers between $300–500 million annually, adding to the cost of feeding programs for low-income Americans.

In short, this program must be changed. As we have learned from changes made to other commodity programs, reform does not happen overnight. This proposal provides for a fair transition that will enable farmers and lenders to adjust their expectations to the marketplace. Following completion of the phase-out period, the peanut program will operate like most other agricultural commodities.

Mr. President, I am pleased to have many of my Senate colleagues join me today as cosponsors of this measure, including Senators CHAFEE, DEWINE, FEINGOLD, GREGG, BROWNBACK, SPECTER, and COLLINS.

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. 802

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

SECTION 1. REDUCTION IN LOAN RATES FOR PEANUTS.

Section 155(a) of the Agricultural Market Transition Act (7 U.S.C. 7271(a)) is amended by striking paragraph (2) and inserting the following:

''(2) LOAN RATE.—The national average quota loan rate for quota peanuts shall be as follows:

''(A) $610 per ton for the 1999 crop.

''(B) $550 per ton for the 2000 crop.

''(C) $500 per ton for the 2001 crop.''.

SEC. 2. NONRECOURSE LOANS FOR 2002 AND SUBSEQUENT CROPS OF PEANUTS.

Effective beginning with the 2002 crop of peanuts, section 155 of the Agricultural Market Transition Act (7 U.S.C. 7271) is amended to read as follows:

''SEC. 155. PEANUT PROGRAM.

''(a) IN GENERAL.—

''(1) LOANS.—The Secretary shall make nonrecourse loans available to producers of peanuts for each of the 2002 and subsequent crops of peanuts.

''(2) RATE.—In carrying out paragraph (1), the Secretary shall offer to all peanut producers nonrecourse loans at a level not less than 85 percent of the simple average price

received by producers for peanuts, as determined by the Secretary, during the marketing year for each of the immediately preceding 5 crops of peanuts, excluding the year in which the average price was the highest and the year in which the average price was the lowest during the period, but not more than $350 per ton. The loans shall be administered at no net cost to the Commodity Credit Corporation.

''(3) INSPECTION, HANDLING, OR STORAGE.—The levels of support determined under paragraph (2) shall not be reduced by any deduction for inspection, handling, or storage.

''(4) MARKETING OF PEANUTS OWNED OR CONTROLLED BY THE COMMODITY CREDIT CORPORATION.—Any peanuts owned or controlled by the Commodity Credit Corporation may be made available for domestic edible use, in accordance with regulations issued by the Secretary, so long as doing so results in no net cost to the Commodity Credit Corporation.

''(5) LOCATION AND OTHER FACTORS.—The Secretary may make adjustments for the location of peanuts and such other factors as are authorized by section 403.

''(6) ANNOUNCEMENT.—The Secretary shall announce the level of support for each crop of peanuts not later than the February 15 preceding the marketing year for which the level of support is being determined.

''(b) COMMODITY CREDIT CORPORATION.—The Secretary shall carry out the program authorized by this section through the Commodity Credit Corporation.

''(c) CROPS.—This section shall be effective for each of the 2002 and subsequent crops of peanuts.''.

SEC. 3. ELIMINATION OF PEANUT QUOTAS FOR 2002 AND SUBSEQUENT CROPS OF PEANUTS.

(a) IN GENERAL.—Part VI of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1357 et seq.) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) DEFINITIONS.—Section 301(b) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1301(b)) is amended—

(A) in paragraph (3)(A), by striking ''corn, rice, and peanuts'' and inserting ''corn and rice'';

(B) in paragraph (6), by striking subparagraph (C);

(C) in paragraph (10)(A)—

(i) by striking ''wheat, and peanuts'' and inserting ''and wheat''; and

(ii) by striking ''; 20 per centum in the case of wheat; and 15 per centum in the case of peanuts'' and inserting ''; and 20 percent in the case of wheat'';

(D) in paragraph (13)—

(i) by striking subparagraphs (B) and (C); and

(ii) in subparagraph (G), by striking ''or peanuts'' both places it appears; and

(E) in paragraph (16)(A), by striking ''rice, and peanuts'' and inserting ''and rice''.

(2) ADMINISTRATIVE PROVISIONS.—Section 361 of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1361) is amended by striking ''peanuts,''.

(3) ADJUSTMENT OF QUOTAS.—Section 371 of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1371) is amended—

(A) in the first sentence of subsection (a), by striking ''peanuts,''; and

(B) in the first sentence of subsection (b), by striking ''peanuts''.

(4) REPORTS AND RECORDS.—Section 373 of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1373) is amended—

(A) in subsection (a), by striking the first sentence and inserting the following new sentence: ''This subsection shall apply to warehousemen, processors, and common carriers of corn, wheat, cotton, rice, or tobacco, and all ginners of cotton, all persons engaged in the business of purchasing corn, wheat, cotton, rice, or tobacco from producers, and all persons engaged in the business of redrying, prizing, or stemming tobacco for producers.''; and

(B) in subsection (b), by striking ''peanuts,''.

(5) REGULATIONS.—Section 375(a) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1375(a)) is amended by striking ''peanuts,''.

(6) EMINENT DOMAIN.—The first sentence of section 378(c) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1378(c)) is amended by striking ''cotton, tobacco, and peanuts,'' and inserting ''cotton and tobacco,''.

(c) LIABILITY.—A provision of this section or an amendment made by this section shall not affect the liability of any person under any provision of law as in effect before the application of the provision of this section or the amendment in accordance with this section.

(d) APPLICATION.—This section and the amendments made by this section shall apply beginning with the 2002 crop of peanuts.

SEC. 4. PURCHASE OF PEANUTS FOR NUTRITION PROGRAMS.

Section 14 of the National School Lunch Act (42 U.S.C. 1762a) is amended by adding at the end the following:

''(h) PURCHASE OF PEANUTS FOR NUTRITION PROGRAMS.—

''(1) DEFINITIONS.—In this subsection—

''(A) ADDITIONAL PEANUTS.—The term 'additional peanuts' has the meaning given the term in section 358–1(e) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1358–1(e)).

''(B) COVERED PROGRAM.—The term 'covered program' means—

''(i) a program established under this Act;

''(ii) a program established under the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.);

''(iii) the emergency food assistance program established under the Emergency Food Assistance Act of 1983 (7 U.S.C. 7501 et seq.);

''(iv) the food distribution program on Indian reservations established under section 4(b) of the Food Stamp Act of 1977 (7 U.S.C. 2013(b));

''(v) the commodity distribution program established under section 4 of the Agriculture and Consumer Protection Act of 1973 (Public Law 93–86; 7 U.S.C. 612c note);

''(vi) the commodity supplemental food program established under section 5 of the Agriculture and Consumer Protection Act of 1973 (Public Law 93–86; 7 U.S.C. 612c note); and

''(vii) a nutrition program carried out under part C of title III of the Older Americans Act of 1965 (42 U.S.C. 3030e et seq.).

''(2) PURCHASES.—Notwithstanding any other provision of law, in purchasing peanuts or peanut products to carry out a covered program, the Secretary shall—

''(A) purchase the peanuts or peanut products at a price that is not more than the prevailing world market price for peanuts or peanut products produced in the United States, as determined by the Secretary; and

''(B) in the case of peanut purchases, purchase only additional peanuts.

''(3) DOMESTIC EDIBLE USE.—Notwithstanding any other provision of law, additional peanuts purchased by the Secretary to carry out a covered program shall not be considered to be peanuts for domestic edible use under the Agricultural Adjustment Act of 1938 (7 U.S.C. 1281 et seq.) or Agricultural Market Transition Act (7 U.S.C. 7201 et seq.).

''(4) SUPPLY.—The Secretary shall take such actions as are necessary to ensure, to the maximum extent practicable, that an adequate supply of additional peanuts is available to carry out covered programs.

''(5) PENALTIES.—Notwithstanding any other provision of law, a person that produces additional peanuts that are sold to the Secretary, or sells additional peanuts to the Secretary, for a covered program shall not be subject to a penalty or other sanction for the production or sale of the additional peanuts.''.

By Mr. MCCAIN (for himself and Mr. WYDEN):

S. 803. A bill to make the International Olympic Committee subject to the Foreign Corrupt Practices Act of 1977, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

THE IOC REFORM ACT

Mr. MCCAIN. Mr. President, I rise today to introduce legislation that would make the International Olympic Committee subject to the Foreign Corrupt Practices Act. This legislation is in response to what I believe is a failure on the part of the International Olympic Committee (IOC) to adequately respond to corruption in the selection of cities to host the Olympic games.

This morning, I chaired a hearing of the Commerce Committee on the recent public controversies involving the Olympic bid process. As most of you know, allegations of bribes and corruption in the Salt Lake City bid process have prompted investigations by the Utah Attorney General and the Department of Justice. The purpose of the hearing was not to focus on a single investigation. Instead, the Committee examined the bid process as a whole and the reform efforts undertaken by the United States Olympic Committee (USOC) and IOC respectively.

The Committee heard testimony from the USOC, IOC and the Special Bid Oversight Commission. The Commission was appointed by the USOC to review the circumstances surrounding the selection of Salt Lake City to host the 2002 Winter Olympics. The Commission, composed of a group of highly respected individuals including our former colleague Senator Mitchell and Ken Duberstein, made a series of recommendations to reform both the USOC and the IOC. The recommendations focused on bringing transparency and accountability to both organizations.

The USOC appears to be moving forward with reform. It adopted in full the recommendations of the Commission and took responsibility for its own failure to oversee the Salt Lake City bid process. While not complete, I believe the process of reform at the USOC has begun. Unfortunately, the hearing did very little to ease my concerns about the IOC. IOC representatives expressed opposition to several of the commissions' recommendations and continues to be resistant to change. While I understand the IOC may have legitimate concerns about some of the suggested reforms, I question their commitment to reform.

This morning Senator Mitchell and the other members of the Commission agreed that Congress could and should take action to ensure that the IOC is

subject to the Foreign Corrupt Practices Act. In the United States, the Foreign Corrupt Practices Act is available to law enforcement to combat official corruption in international business transactions. Currently, IOC members are not governed by the Act because they do not generally act in the role of a foreign official. Rather, they act on behalf of the IOC, a private enterprise. My amendment includes the IOC in the definition of a Public International Organization subjecting them to the Foreign Corrupt Practices Act.

This bill should be a considered vehicle for discussion. This morning, Senator Mitchell and the Commission offered to provide the committee with further comments on possible legislative solutions to this problem. I look forward to hearing their ideas and working with them. However, based upon the recommendation of the panel this morning and the need to send a strong signal to IOC that we are serious about reform, I wanted to introduce this first step today. I know that many of my colleagues either will introduce measures as well and I look forward to working with them.

By Mr. ROCKEFELLER (for himself and Mr. FRIST):

S. 804. A bill to improve the ability of Federal agencies to license Federally-owned inventions; to the Committee on Commerce, Science, and Transportation.

TECHNOLOGY TRANSFER COMMERCIALIZATION ACT OF 1999

Mr. ROCKEFELLER. Mr. President, today I am with my colleague Senate FRIST introducing the Technology Transfer Commercialization Act of 1999. This bill would make technical changes and clarifications to the legislation which governs the transfer of intellectual property from the federal government to the private sector.

The original Technology Transfer Improvements Act (TTIA), which I was author of in 1995, allowed for easier and quicker access to intellectual property which the government owns and private industry wants. It created a win-win situation. The government gets royalties from these licenses, private industry gets the intellectual property that it needs, and Americans get jobs from the production of inventions based on this intellectual property.

This bill builds on the strong positive response from TTIA. It reduces the requirements for obtaining a non-exclusive license in order to allow as many companies and individuals as possible access to the information. It also addresses private industry's concerns about maintaining confidential information within applications.

However, this does not come at the expense of the government being able to keep control of its property. This bill also clarifies the ability of the licensing agencies to terminate a license if certain criteria are not met. Furthermore, it allows the government to consolidate intellectual property which is developed in cooperation with a private entity so that the package can be relicensed to a third party.

Technology transfer is a vital part of our national economy. It is what allows our industries to remain at the leading edge in their field. This bill clarifies and adjusts current legislation to allow for an even better working relationship between the federal government and private industry. I encourage my colleagues to support 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. 804

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 ''Technology Transfer Commercialization Act of 1999''.

SEC. 2. COOPERATIVE RESEARCH AND DEVELOPMENT AGREEMENTS.

Section 12(b)(1) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(b)(1)) is amended by inserting ''or, subject to section 209 of title 35, United States Code, may grant a license to an invention which is federally owned, for which a patent application was filed before the granting of the license, and directly within the scope of the work under the agreement,'' after ''under the agreement,''.

SEC. 3. LICENSING FEDERALLY OWNED INVENTIONS.

(a) IN GENERAL.—Section 209 of title 35, United States Code, is amended to read as follows:

''§ 209. Licensing federally owned inventions

''(a) AUTHORITY.—A Federal agency may grant an exclusive or partially exclusive license on a federally owned invention under section 207(a)(2) only if—

''(1) granting the license is a reasonable and necessary incentive to—

''(A) call forth the investment capital and expenditures needed to bring the invention to practical application; or

''(B) otherwise promote the invention's utilization by the public;

''(2) the Federal agency finds that the public will be served by the granting of the license, as indicated by the applicant's intentions, plans, and ability to bring the invention to practical application or otherwise promote the invention's utilization by the public, and that the proposed scope of exclusivity is not greater than reasonably necessary to provide the incentive for bringing the invention to practical utilization, as proposed by the applicant, or otherwise to promote the invention's utilization by the public;

''(3) the applicant makes a commitment to achieve practical utilization of the invention within a reasonable time, which may be extended by the agency upon the applicant's request and the applicant's demonstration that the refusal of such an extension would be unreasonable as specified in the license;

''(4) granting the license will not tend to substantially lessen competition or create or maintain a violation of the Federal antitrust laws; and

''(5) in the case of an invention covered by a foreign patent application or patent, the interests of the Federal Government or United States industry in foreign commerce will be enhanced.

''(b) MANUFACTURE IN UNITED STATES.—A Federal agency shall normally grant a license under section 207(a)(2) to use or sell any federally owned invention in the United States only to a licensee who agrees that any products embodying the invention or produced through the use of the invention will be manufactured substantially in the United States.

''(c) SMALL BUSINESS.—First preference for the granting of any exclusive or partially exclusive licenses under section 207(a)(2) shall be given to small business firms having equal or greater likelihood as other applicants to bring the invention to practical application within a reasonable time.

''(d) TERMS AND CONDITIONS.—Any licenses granted under section 207(a)(2) shall contain such terms and conditions as the granting agency considers appropriate. Such terms and conditions shall include provisions—

''(1) retaining a nontransferable, irrevocable, paid-up license for any Federal agency to practice the invention or have the invention practiced throughout the world by or on behalf of the Government of the United States;

''(2) requiring periodic reporting on utilization of the invention, and utilization efforts, by the licensee, but only to the extent necessary to enable the Federal agency to determine whether the terms of the license are being complied with; and

''(3) empowering the Federal agency to terminate the license in whole or in part if the agency determines that—

''(A) the licensee is not executing its commitment to achieve practical utilization of the invention, including commitments contained in any plan submitted in support of its request for a license, and the licensee cannot otherwise demonstrate to the satisfaction of the Federal agency that it has taken, or can be expected to take within a reasonable time, effective steps to achieve practical utilization of the invention;

''(B) the licensee is in breach of an agreement described in subsection (b);

''(C) termination is necessary to meet requirements for public use specified by Federal regulations issued after the date of the license, and such requirements are not reasonably satisfied by the licensee; or

''(D) the licensee has been found by a court of competent jurisdiction to have violated the federal antitrust laws in connection with its performance under the license agreement.

''(e) PUBLIC NOTICE.—No exclusive or partially exclusive license may be granted under section 207(a)(2) unless public notice of the intention to grant an exclusive or partially exclusive license on a federally owned invention has been provided in an appropriate manner at least 15 days before the license is granted, and the Federal agency has considered all comments received before the end of the comment period in response to that public notice. This subsection shall not apply to the licensing of inventions made under a cooperative research and development agreement entered into under section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a).

''(f) PLAN.—No Federal agency shall grant any license under a patent or patent application on a federally owned invention unless the person requesting the license has supplied the agency with a plan for development and/or marketing of the invention, except that any such plan may be treated by the Federal agency as commercial and financial information obtained from a person and privileged and confidential and not subject to disclosure under section 552 of title 5 of the United States Code.''.

(b) CONFORMING AMENDMENT.—The item relating to section 209 in the table of sections for chapter 18 of title 35, United States Code, is amended to read as follows:

''209. Licensing federally owned inventions.''.

SEC. 4. TECHNICAL AMENDMENTS TO BAYH-DOLE ACT.

Chapter 18 of title 35, United States Code (popularly known as the ''Bayh-Dole Act''), is amended—

(1) by amending section 202(e) to read as follows:

''(e) In any case when a Federal employee is a coinventor of any invention made with a nonprofit organization or small business firm, the Federal agency employing such coinventor may, for the purpose of consolidating rights in the invention and if it finds it would expedite the development of the invention—

''(1) license or assign whatever rights it may acquire in the subject invention to the nonprofit organization or small business firm; or

''(2) acquire any rights in the subject invention from the nonprofit organization or small business firm, but only to the extent the party from whom the rights are acquired voluntarily enters into the transaction and no other transaction under this chapter is conditioned on such acquisition.''; and

(2) in section 207(a)—

(A) in paragraph (2), by striking ''patent applications, patents, or other forms of protection obtained'' and inserting ''inventions''; and

(B) in paragraph (3), by inserting '', including acquiring rights for the Federal Government in any invention, but only to the extent the party from whom the rights are acquired voluntarily enters into the transaction, to facilitate the licensing of a federally owned invention'' after ''or through contract''.

SEC. 5. TECHNICAL AMENDMENTS TO THE STEVENSON-WYDLER TECHNOLOGY INNOVATION ACT OF 1980.

The Stevenson-Wydler Technology Innovation Act of 1980 is amended—

(1) in section 4(4) (15 U.S.C. 3703(4)), by striking ''section 6 or section 8'' and inserting ''section 7 or 9'';

(2) in section 4(6) (15 U.S.C. 3703(6)), by striking ''section 6 or section 8'' and inserting ''section 7 or 9'';

(3) in section 5(c)(11) (15 U.S.C. 3704(c)(11)), by striking ''State of local governments'' and inserting ''State or local governments'';

(4) in section 9 (15 U.S.C. 3707), by—

(A) striking ''section 6(a)'' and inserting ''section 7(a)'';

(B) striking ''section 6(b)'' and inserting ''section 7(b)''; and

(C) striking ''section 6(c)(3)'' and inserting ''section 7(c)(3)'';

(5) in section 11(e)(1) (15 U.S.C. 3710(e)(1)), by striking ''in cooperation with Federal Laboratories'' and inserting ''in cooperation with Federal laboratories'';

(6) in section 11(i) (15 U.S.C. 3710(i)), by striking ''a gift under the section'' and inserting ''a gift under this section'';

(7) in section 14 (15 U.S.C. 3710c)—

(A) in subsection (a)(1)(A)(i), by inserting '', if the inventor's or coinventor's rights are assigned to the United States'' after ''inventor or coinventors'';

(B) in subsection (a)(1)(B), by striking ''succeeding fiscal year'' and inserting ''2 succeeding fiscal years''; and

(C) in subsection (b)(2), by striking ''invention'' and inserting ''invention''; and

(8) in section 22 (15 U.S.C. 3714), by striking ''sections 11, 12, and 13'' and inserting ''sections 12, 13, and 14''.

SEC. 6. REVIEW OF COOPERATIVE RESEARCH AND DEVELOPMENT AGREEMENT PROCEDURES.

(a) REVIEW.—Within 90 days after the date of the enactment of this Act, each Federal agency with a federally funded laboratory that has in effect on that date of enactment 1 or more cooperative research and development agreements under section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a) shall report to the Committee on National Security of the National Science and Technology Council and the Congress on the general policies and procedures used by that agency to gather and consider the views of other agencies on—

(1) joint work statements under section 12(c)(5) (C) or (D) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(c)(5) (C) or (D)); or

(2) in the case of laboratories described in section 12(d)(2)(A) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)(2)(A)), cooperative research and development agreements under such section 12,

with respect to major proposed cooperative research and development agreements that involve critical national security technology or may have a significant impact on domestic or international competitiveness.

(b) PROCEDURES.—

(1) IN GENERAL.—Within 1 year after the date of the enactment of this Act, the Committee on National Security of the National Science and Technology Council, in conjunction with relevant Federal agencies and national laboratories, shall—

(A) determine the adequacy of existing procedures and methods for interagency coordination and awareness with respect to cooperative research and development agreements described in subsection (a); and

(B) establish and distribute to appropriate Federal agencies—

(i) specific criteria to indicate the necessity for gathering and considering the views of other agencies on joint work statements or cooperative research and development agreements as described in subsection (a); and

(ii) additional procedures, if any, for carrying out such gathering and considering of agency views with respect to cooperative research and development agreements described in subsection (a).

(2) PROCEDURE DESIGN.—Procedures established under this subsection shall be designed to the extent possible to—

(A) use or modify existing procedures;

(B) minimize burdens on Federal agencies;

(C) encourage industrial partnerships with national laboratories; and

(D) minimize delay in the approval or disapproval of joint work statements and cooperative research and development agreements.

(c) LIMITATION.—Nothing in this Act, nor any procedures established under this section shall provide to the Office of Science and Technology Policy, the National Science and Technology Council, or any Federal agency the authority to disapprove a cooperative research and development agreement or joint work statement, under section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a), of another Federal agency.

SEC. 7. INCREASED FLEXIBILITY FOR FEDERAL LABORATORY PARTNERSHIP INTERMEDIARIES.

Section 23 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3715) is amended—

(1) in subsection (a)(1) by inserting '', institutions of higher education as defined in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)), or educational institutions within the meaning of section 2194 of title 10, United States Code'' after ''small business firms''; and

(2) in subsection (c) by inserting'', institutions of higher education as defined in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)), or educational institutions within the meaning of section 2194 of title 10, United Stats Code,'' after ''small business firms''.

SEC. 8. REPORTS ON UTILIZATION OF FEDERAL TECHNOLOGY.

(a) AGENCY ACTIVITIES.—Section 11 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710) is amended—

(1) by striking the last sentence of subsection (b);

(2) by inserting after subsection (e) the following:

''(f) AGENCY REPORTS ON UTILIZATION.—

''(1) IN GENERAL.—Each Federal agency which operates or directs one or more Federal laboratories or which conducts activities under sections 207, 208, and 209 of title 35, United States Code, shall report annually to the Office of Management and Budget, as part of the agency's annual budget submission, on the activities performed by that agency and its Federal laboratories under the provisions of this section and of sections 207, 208, and 209 of title 35, United States Code.

''(2) CONTENTS.—The report shall include—

''(A) an explanation of the agency's technology transfer program for the preceding year and the agency's plans for conducting its technology transfer function for the upcoming year, including its plans for managing its intellectual property so as to advance the agency's mission and benefit the competitiveness of United States industry; and

''(B) information on technology transfer activities for the preceding year, including—

''(i) the number of patent applications filed;

''(ii) the number of patents received;

''(iii) the number of executed royalty-bearing licenses, both exclusive and non-exclusive, and the time elapsed from the date the license was requested to the date the license was issued;

''(iv) the total earned royalty income including such statistical information as the total earned royalty income of the top 1 percent, 5 percent, and 20 percent of the licenses, the range of royalty income, and the median;

''(v) the number of licenses terminated; and

''(vi) any other parameters or discussion that the agency deems relevant or unique to its practice of technology transfer.

''(3) COPY TO SECRETARY; CONGRESS.—The agency shall transmit a copy of the report to the Secretary of Commerce for inclusion in the annual report to Congress and the President as set forth in subsection (g)(2) below.

''(4) PUBLIC AVAILABILITY.—The agency is also strongly encouraged to make the required information available to the public through web sites or other electronic means.'';

(3) by striking subsection (g)(2) and inserting the following:

''(2) REPORTS.—

''(A) ANNUAL REPORT REQUIRED.—The Secretary shall submit each fiscal year, beginning one year after enactment of the Technology Transfer Commercialization Act of 1999, a summary report to the President and the Congress on the use by the agencies and the Secretary of the authorities specified in this Act and in sections 207, 208, and 209 of title 35, United States Code.

''(B) CONTENT.—The report shall—

''(i) draw upon the reports prepared by the agencies under subsection (f);

''(ii) discuss technology transfer best practices, lessons learned, and successful approaches in the licensing and transfer of technology in the context of the agencies' missions; and

''(iii) discuss the progress made toward development of useful measures of the outcomes of these programs.

''(C) PUBLIC AVAILABILITY.—The Secretary shall make the report available to the public through Internet websites or other electronic means.''; and

(4) by inserting after subsection (g) the following:

''(h) DUPLICATION OF REPORTING.—The reporting obligations imposed by this section—

''(1) are not intended to impose requirements that duplicate requirements imposed by the Government Performance and Results Act of 1993 (31 US.C. 1101 nt); and

''(2) are to be implemented in coordination with the implementation of that Act.''.

(b) ROYALTIES.—Section 14(c) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710c(c)) is amended to read as follows:

''(c) REPORTS.—At least once every 5 years, beginning one year after enactment of the Technology Transfer Commercialization Act of 1999, the Comptroller General shall transmit a report to the appropriate committee of the Senate and House of Representatives on the effectiveness of the various programs in this Act, including findings, conclusions, and recommendations for improvements in such programs.''.

Mr. FRIST. Mr. President, I rise today to support the Technology Transfer Commercialization Act of 1999.

Technology transfer is a crucial link in the process that transforms research results into commercially viable products. The federal government's involvement in technology transfer arises naturally from its desire to encourage usage and commercialization of innovations resulting from federally-funded research. However, it is through further development, refinement, and marketing by the private sector that research results become diffused throughout the economy and generate growth. The private sector's active and timely participation in this process must be strongly encouraged if our competitiveness is to be enhanced.

Patents and licensing rights play key roles in the technology transfer process in that they provide strong economic incentives to industry. Studies have shown that research funding accounts for only 25 percent of the costs associated with bringing a new product to market. Increasingly, patent ownership is used as a means to recoup the investment through the incoming royalty stream. In addition, actual experience and studies concluded that if companies do not control the results of their investments, they are less likely to engage in related research and development.

Existing legislation encourages the transfer of technologies and closer collaborations between the Federal labs and industry by allowing the industry partners to obtain title to inventions that result from these collaborations. The Stevenson-Wydler Act and subsequent amendments created a framework to facilitate cooperative and development agreement (CRADAs) between industry and the Federal labs. The Bayh-Dole Act and subsequent amendments established policies for the licensing of federally-funded inventions.

The Technology Commercialization Act of 1999 improves upon both Stevenson-Wydler and Bayh-Dole by taking into consideration the increased competition in the marketplace. Provisions include streamlining the licensing procedure, and encouraging use of the electronic media to shorten the time requirements for public notice. This is in accordance with the fast pace required for doing business today. Other provisions include clarifications of criteria for granting any license, as well as exclusive and partially exclusive licenses.

Although technology transfer is important, such transfer should not compromise national security or substantially reduce competition in the marketplace. In response to these concerns, the Act requires the Office of Science and Technology Policy to study existing practices of CRADA creation in the agencies, and issue a report outlining review procedures for the creation of certain types of CRADAs.

The Act also lays the groundwork for a better understanding of the technology transfer process. Although there is consensus on the role of technology transfer in economic growth, there are no existing measures for understanding how much technology is transferred or how well the process works. Relevant questions include is the technology that is being transferred useful or successful, and are the inventions being produced in the federal labs relevant to the marketplace. As we transition into a knowledge-based economy, the management of knowledge movement will play a key role in sustaining our competitiveness.

In summary, technology transfer is crucial to our national economic growth. Therefore, both Senator Rockefeller and I ask for your support in enhancing our competitiveness and encouraging industry to work together with our federal agencies to create the best technologies possible.

ADDITIONAL COSPONSORS

S. 101

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 101, a bill to promote trade in United States agricultural commodities, livestock, and value-added products, and to prepare for future bilateral and multilateral trade negotiations.

S. 296

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 296, a bill to provide for continuation of the Federal research investment in a fiscally sustainable way, and for other purposes.

S. 322

At the request of Mr. CAMPBELL, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 322, a bill to amend title 4, United States Code, to add the Martin Luther King Jr. holiday to the list of days on which the flag should especially be displayed.

S. 331

At the request of Mr. JEFFORDS, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 331, a bill to amend the Social Security Act to expand the availability of health care coverage for working individuals with disabilities, to establish a Ticket to Work and Self-Sufficiency Program in the Social Security Administration to provide such individuals with meaningful opportunities to work, and for other purposes.

S. 335

At the request of Ms. COLLINS, the names of the Senator from Connecticut (Mr. DODD) and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of S. 335, a bill to amend chapter 30 of title 39, United States Code, to provide for the nonmailability of certain deceptive matter relating to games of chance, administrative procedures, orders, and civil penalties relating to such matter, and for other purposes.

S. 336

At the request of Mr. LEVIN, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. 336, a bill to curb deceptive and misleading games of chance mailings, to provide Federal agencies with additional investigative tools to police such mailings, to establish additional penalties for such mailings, and for other purposes.

S. 386

At the request of Mr. GORTON, the names of the Senator from Nebraska (Mr. HAGEL), the Senator from Vermont (Mr. LEAHY), the Senator from South Dakota (Mr. DASCHLE), the Senator from Indiana (Mr. BAYH) and the Senator from Utah (Mr. BENNETT) were added as cosponsors of S. 386, a bill to amend the Internal Revenue Code of 1986 to provide for tax-exempt bond financing of certain electric facilities.

S. 398

At the request of Mr. CAMPBELL, the names of the Senator from Michigan (Mr. ABRAHAM) and the Senator from New Jersey (Mr. TORRICELLI) were added as cosponsors of S. 398, a bill to require the Secretary of the Treasury to mint coins in commemoration of Native American history and culture.

S. 425

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 425, a bill to require the approval of Congress for the imposition of any new unilateral agricultural sanction, or any new unilateral sanction with respect to medicine, medical supplies, or medical equipment, against a foreign country.

S. 459

At the request of Mr. LEAHY, his name 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.

S. 530

At the request of Mrs. MURRAY, her name was added as a cosponsor of S.

530, a bill to amend the Act commonly known as the ''Export Apple and Pear Act'' to limit the applicability of that Act to apples.

S. 531

At the request of Mr. ABRAHAM, the names of the Senator from North Dakota (Mr. CONRAD), the Senator from Colorado (Mr. CAMPBELL), the Senator from Minnesota (Mr. WELLSTONE), the Senator from Colorado (Mr. ALLARD), the Senator from Kentucky (Mr. BUNNING) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors 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. 566

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 566, a bill to amend the Agricultural Trade Act of 1978 to exempt agricultural commodities, livestock, and value-added products from unilateral economic sanctions, to prepare for future bilateral and multilateral trade negotiations affecting United States agriculture, and for other purposes.

At the request of Mr. LUGAR, the name of the Senator from Illinois (Mr. FITZGERALD) was added as a cosponsor of S. 566, supra.

S. 595

At the request of Mr. DOMENICI, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 595, a bill to amend the Internal Revenue Code of 1986 to establish a graduated response to shrinking domestic oil and gas production and surging foreign oil imports, and for other purposes.

S. 662

At the request of Mr. CHAFEE, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Connecticut (Mr. DODD) were added as cosponsors of S. 662, a bill to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screening program.

S. 665

At the request of Mr. COVERDELL, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 665, a bill to amend the Congressional Budget and Impoundment Control Act of 1974 to prohibit the consideration of retroactive tax increases.

S. 669

At the request of Mr. COVERDELL, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 669, a bill to amend the Federal Water Pollution Control Act to ensure compliance by Federal facilities with pollution control requirements.

S. 676

At the request of Mr. CAMPBELL, the name of the Senator from Maryland (Ms. MIKULSKI) 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. 680

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 680, a bill to amend the Internal Revenue Code of 1986 to permanently extend the research credit, and for other purposes.

S. 720

At the request of Mr. HELMS, the names of the Senator from Oregon (Mr. SMITH), the Senator from Indiana (Mr. LUGAR), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Ohio (Mr. DEWINE), the Senator from Arizona (Mr. MCCAIN) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 720, a bill to promote the development of a government in the Federal Republic of Yugoslavia (Serbia and Montenegro) based on democratic principles and the rule of law, and that respects internationally recognized human rights, to assist the victims of Serbian oppression, to apply measures against the Federal Republic of Yugoslavia, and for other purposes.

S. 737

At the request of Mr. CHAFEE, the names of the Senator from Virginia (Mr. ROBB), the Senator from Indiana (Mr. LUGAR) and the Senator from Delaware (Mr. BIDEN) were added as cosponsors of S. 737, a bill to amend title XIX of the Social Security Act to provide States with options for providing family planning services and supplies to women eligible for medical assistance under the medicaid program.

S. 746

At the request of Mr. LEVIN, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Kentucky (Mr. MCCONNELL) were added as cosponsors of S. 746, a bill to provide for analysis of major rules, to promote the public's right to know the costs and benefits of major rules, and to increase the accountability of quality of Government.

S. 755

At the request of Mr. HATCH, the name of the Senator from Minnesota (Mr. GRAMS) was added as a cosponsor of S. 755, a bill to extend the period for compliance with certain ethical standards for Federal prosecutors.

S. 767

At the request of Mr. BRYAN, his name was added as a cosponsor of S. 767, a bill to amend the Internal Revenue Code of 1986 to provide a 2-month extension for the due date for filing a tax return for any member of a uniformed service on a tour of duty outside the United States for a period which includes the normal due date for such filing.

At the request of Mr. FITZGERALD, his name was added as a cosponsor of S. 767, supra.

At the request of Mr. COVERDELL, the names of the Senator from Maine (Ms. COLLINS), the Senator from Tennessee (Mr. FRIST) and the Senator from Nebraska (Mr. HAGEL) were added as cosponsors of S. 767, supra.

S. 784

At the request of Mr. ROCKEFELLER, the names of the Senator from Massachusetts (Mr. KENNEDY), the Senator from Massachusetts (Mr. KERRY) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 784, a bill to establish a demonstration project to study and provide coverage of routine patient care costs for medicare beneficiaries with cancer who are enrolled in an approved clinical trial program.

SENATE CONCURRENT RESOLUTION 12

At the request of Mrs. MURRAY, her name was added as a cosponsor of Senate Concurrent Resolution 12, a concurrent resolution requesting that the United States Postal Service issue a commemorative postage stamp honoring the 100th anniversary of the founding of the Veterans of Foreign Wars of the United States.

At the request of Ms. COLLINS, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of Senate Concurrent Resolution 12, supra.

SENATE CONCURRENT RESOLUTION 19

At the request of Mr. CAMPBELL, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of Senate Concurrent Resolution 19, a concurrent resolution concerning anti-Semitic statements made by members of the Duma of the Russian Federation.

SENATE CONCURRENT RESOLUTION 25

At the request of Mr. JEFFORDS, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of Senate Concurrent Resolution 25, a concurrent resolution urging the Congress and the President to fully fund the Federal Government's obligation under the Individuals with Disabilities Education Act.

SENATE RESOLUTION 29

At the request of Mr. ROBB, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of Senate Resolution 29, a resolution to designate the week of May 2, 1999, as ''National Correctional Officers and Employees Week''.

SENATE RESOLUTION 33

At the request of Mr. MCCAIN, the names of the Senator from Alabama (Mr. SESSIONS), the Senator from Pennsylvania (Mr. SPECTER), the Senator from Maryland (Ms. MIKULSKI), the Senator from New Mexico (Mr. DOMENICI) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of Senate Resolution 33, a resolution designating May 1999 as ''National Military Appreciation Month.''

SENATE RESOLUTION 34

At the request of Mr. TORRICELLI, the names of the Senator from Nevada (Mr. BRYAN), the Senator from New York (Mr. MOYNIHAN), the Senator from

Michigan (Mr. LEVIN), the Senator from Delaware (Mr. BIDEN), the Senator from Indiana (Mr. BAYH) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of Senate Resolution 34, a resolution designating the week beginning April 30, 1999, as ''National Youth Fitness Week.''

SENATE RESOLUTION 76—TO COMMEND THE PURDUE UNIVERSITY WOMEN'S BASKETBALL TEAM ON WINNING THE 1999 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION WOMEN'S BASKETBALL CHAMPIONSHIP

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

S. RES. 76

Whereas the Purdue University Lady Boilermakers (Lady Boilers) won their first National Championship in the National Collegiate Athletic Association women's basketball tournament on March 28, 1999;

Whereas the Lady Boilers finished the 1998-99 season with an outstanding record, winning 34 games, including 32 consecutive victories;

Whereas the Lady Boilers proudly brought Purdue University its first ever NCAA championship in any women's sport, and did so with skill matched by grace and dignity;

Whereas the Lady Boilers claimed the first ever NCAA women's basketball championship by any member of the Big Ten Athletic Conference; and

Whereas the Lady Boilers have brought great pride and distinction to the State of Indiana: Now, therefore, be it

Resolved, That the Senate commends the Purdue University Lady Boilers basketball team for winning the National Collegiate Athletic Association women's basketball national championship.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be allowed to meet on Wednesday, April 14, 1999, at 9:30 a.m. on the investigation of Olympic scandals in room SD–106 of the Dirksen Building.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. COVERDELL. 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, April 14, for purposes of conducting a closed full committee hearing which is scheduled to begin at 9:30 a.m. The purpose of this oversight hearing is to receive testimony on damage to the national security from Chinese espionage at DOE nuclear weapons laboratories.

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

COMMITTEE ON FINANCE

Mr. COVERDELL. Mr. President, the Finance Committee requests unanimous consent to conduct a hearing on Wednesday, April 14, 1999, beginning at 10 a.m. in room 215 Dirksen.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. COVERDELL. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee to meet on April 14, 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. COVERDELL. 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, April 14, 1999, at 1:45 p.m. to conduct an oversight hearing on Welfare Reform in Indian Country. The hearing will be held in room 485 of the Russell Senate Office Building.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, April 14, 1999, at 2 p.m. to hold a closed hearing on intelligence matters.

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

SUBCOMMITTEE ON INTERNATIONAL TRADE AND FINANCE

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Subcommittee on International Trade and Finance of the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Wednesday, April 14, 1999, to conduct a hearing on the ''Export Control Process''.

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

SUBCOMMITTEE ON IMMIGRATION

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Subcommittee on Immigration, of the Senate Judiciary Committee, be authorized to meet during the session of the Senate on Wednesday, April 14, 1999, at 10 a.m. to hold a hearing in room 226, Senate Dirksen Office Building, on: ''The Kosovo Refugee Crisis.''

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

SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Senate Armed Services Subcommittee on Readiness and Management Support be authorized to meet at 2 p.m. on Wednesday, April 14, 1999, in open session, to receive testimony on the status of financial management within the Department of Defense.

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

STRATEGIC SUBCOMMITTEE

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Strategic Subcommittee of the Committee on Armed Services be authorized to meet on Wednesday, April 14, 1999, at 9:30 a.m. in open session, to receive testimony on strategic nuclear forces and policy, 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.

ADDITIONAL STATEMENTS

NATIONAL BLUE RIBBON SCHOOL

● Mr. ABRAHAM. Mr. President, I rise today to honor a tremendous accomplishment. Middle School South in Harrison Township, Michigan, has been selected as a Michigan Exemplary School and a National Blue Ribbon School for 1997–98.

Middle School South of the L'Anse Creuse Public Schools, was one of two schools in the State of Michigan bestowed the honor of National Blue Ribbon School by the U.S. Department of Education. This selection is a tribute to the time and effort that the parents, administrators, teachers, and students have put into building an excellent learning environment. This prestigious award demonstrates what hard work and commitment can produce.

Again, congratulations to all the teachers and students at Middle School South and the entire L'Anse Creuse Public School District. This is a distinguished award, and they deserve it. I wish them continued prosperity, and many more years of success.●

HONORING DANIEL C. TWEEDALL II

● Mr. BAYH. Mr. President, I rise today to recognize the outstanding achievement of Daniel Tweedall from Evansville, Indiana. On February 28, 1999, Daniel Tweedall was announced the fifth place National winner in the 1999 Voice of Democracy Program. For his fine performance, Daniel will receive a $5,000 Scholarship Award provided by the Veterans of Foreign Wars and its Ladies Auxiliary.

A Junior at Evansville Central High School, Daniel submitted his winning audio essay script entitled, ''My Service to America'' to the Indiana Veterans of Foreign Wars Voice of Democracy contest. This beautiful essay was judged the winner from more than 1,500 entries submitted by Indiana student competitors in the 1998–1999 competition. Daniel's essay then went on to its fifth place finish in the nationwide competition. More than 80,000 students participated in this year's contest.

Daniel's moving essay described how the speech given by one of his government teachers following the drive-by shooting of the teacher's sister had inspired him to serve America as the

teacher's sister had. Daniel explained how he chose to serve America through community service in such organizations as Habitat for Humanity. Daniel wrote, ''I know that every time I help the woman next door shovel her walk when it snows, serve a hot meal at the rescue mission, or simply walk down the street and smile at someone, the flame from my already burning torch warms the heart, making them want to do more for others and believe in the youth of America.'' Daniel now hopes he will inspire others to also serve our country through military service, public office, or community service.

After graduation, Daniel plans to attend either DePauw University or the University of Notre Dame where he expects to pursue a career in medicine. Daniel is the President of his class, the vice-president of the school's speech team, and the Secretary of the school's Spanish club. In addition to Habitat for Humanity, Daniel is also involved in the Evansville Rescue Mission and Teen Power.

I commend Daniel on his tremendous accomplishment. Not only has he won a very competitive essay contest, he has also demonstrated the finest qualities of leadership, national service, and community involvement. I hope that his example will inspire others to serve our country.●

TRIBUTE TO JIM THORPE

● Mr. SANTORUM. Mr. President, I rise today to pay tribute to Jim Thorpe as he is being considered in the selection of Athlete of the Century. Pennsylvania has a historic affiliation to this great man, of whom a borough in Carbon County Pennsylvania is named for.

Jim Thorpe is the only American athlete to ever excel, as an amateur and as a professional, in three major sports; track and field, football and baseball.

As an amateur in track and field, Thorpe won the pentathlon and the decathlon at the Amateur Athletic Union's (AAU) National Championship Trials in Boston, prior to the 1912 Olympics. He went on to represent Sac, Fox Nation and the United States in the 1912 Olympic Games in Stockholm, Sweden, and became the first U.S. athlete to win the decathlon and the only athlete in the world to win both the decathlon and the pentathlon during one Olympic year. These athletic feats and the subsequent worldwide publicity helped to establish the viability of the Olympics.

Thorpe's major league baseball career consisted of playing with the New York Giants, the Cincinnati Reds and the Boston Braves, in which he ended the 1919 season with a .327 average.

His amateur football record was established while he was a student at the Carlisle Indian School in Pennsylvania and was chosen to Walter Camp's First Team All American Half-Back in 1911 and 1912. A founding father of professional football, Thorpe became the first elected president of the American Professional Football Association, now known as the National Football League. He was voted America's Greatest All-Around Male Athlete and chosen as the greatest football player of the half-century in 1950 by an Associated Press Poll of sports writers. He was also named the Greatest American Football Player in History in a 1977 national poll conducted by Sport Magazine.

Because of his outstanding sports achievements, Thorpe was inducted into the National Indian Hall of Fame, the Helms Professional Football Hall of Fame, the Professional Football Hall of Fame in Canton, Ohio, the National Track and Field Hall of Fame, and the Pennsylvania and Oklahoma Halls of Fame.

Mr. President, Jim Thorpe's immeasurable sports achievements have long been an inspiration to America's youth, as well as to the youth of Pennsylvania. I ask my colleagues to join with me in paying tribute to Jim Thorpe for his renowned accomplishments, as he is considered for Athlete of the Century in 2000.●

JOYCE CHIANG

● Mrs. BOXER. Mr. President, today I wish to acknowledge the life and passing of Joyce Chiang, the sister of a member of my staff, John Chiang. I extend my deepest condolences to all the members of Joyce's family and to the many friends who are grieving today over her loss.

A young woman of great talent and promise, Joyce touched the lives of many through her vivacious spirit and dedication to her community. She will long be remembered and greatly missed.

At the age of 28, Joyce had already demonstrated a strong commitment to public service. Most recently, she worked as an attorney for the Immigration and Naturalization Service. Prior to joining the INS, Joyce was a staff member for Congressman Howard Berman. She served as the Student Body President at Smith College, where she graduated in 1992. In her spare time, Joyce volunteered for local charities.

After Joyce disappeared one night in January, her friends and family began organizing to find her. They posted fliers, wore yellow ribbons,, and held weekly candlelight vigils for her safe return. These vigils, which were held both in Washington and in California, were attended by hundreds of people—a testament to Joyce's ability to touch people's lives in a special way. Tragically, the search for Joyce Chiang ended with the terrible news that her life had been taken.

Joyce was a young person full of energy, intelligence, and generosity. She was deeply dedicated to improving our communities and had only begun to make her contribution to our society. Her passing is a loss not only for her friends and family, but for all of us in the greater community in which she lived.●

TRIBUTE TO GEORGE R. STEPHENS

● Mr. CRAIG. Mr. President, it is with mixed emotions that I offer this congratulatory statement to George R. Stephens, a long-time GPO liaison to the Senate Republican Policy Committee, on the eve of his retirement. George has been a part of the Policy Committee family for so long that we've practically forgotten he's on a different payroll. In fact, his tenure with the Committee long precedes my service as Committee Chairman.

But, let's start at the beginning. George R. Stephens began his employment with the Government Printing Office in 1969, following in his mother's—and his grandmother's—footsteps. George's mother, Ella Stephens, joined GPO in 1950 as a ''clerk-typist.'' George's first GPO job was a Linotype operator. After a short stint in the private sector, George returned to work at GPO's headquarters for about 10 years. In January of 1981, he began his 18-year service as a GPO liaison to the U.S. Senate, assigned to the Republican Policy Committee (RPC) as a printer/proofreader. The position included aiding the RPC in publishing its Record Vote Analysis, a publication the Committee has provided continually since its inception in 1947.

George has served under four Policy Committee chairmen: John Tower of Texas; Bill Armstrong of Colorado; DON NICKLES; and now myself. It must have been a challenge for a nonpartisan federal employee to work in the single large committee room that houses the dedicated, outspoken, and decidedly opinionated RPC staff, engaged in near-constant discourse about how to solve the problems of the day. To his credit, George's professionalism and nonpartisanship never wavered, yet he is accepted as a full-fledged member of our Policy Committee family. I think it's fair to say he appreciates our party's dedication to keeping government in its place—that is, good government, but not Big Government.

George has certainly been an energetic advocate for the good government work of his employer, Congress' printer. In a letter to the editor to Roll Call in 1995 responding to that newspaper's call for increased privatization of GPO services, George wrote, ''. . . There isn't another printing company on this earth capable of producing such large jobs so quickly and with the high standards to which Members have become accustomed. Newcomers to Washington quickly learn that GPO prints and delivers the CONGRESSIONAL RECORD and the Federal Register on a daily basis. They also learn that its ability to have printed bills and other documents available within hours of their drafting is essential to the

smooth and timely operation of Senate proceedings.''

George's years of service with the GPO span an era of unprecedented growth in technology. From typewriters and hot metal typesetting, to so-called cold press, to computer desktop publishing, fiber optics, CD-Rom's and online publishing, George has witnessed truly revolutionary changes to the world of printing. However, one thing has not changed: our government's commitment to assure public access to government information. George is part of that proud tradition.

While some witnesses to a revolution turn and run in fear of the unknown, George has embraced each development along the way. His eagerness to keep up with changing technology has been an asset to our Committee, but his eagerness is not limited to technology. This is a man who loves his job. With a record that likely competes with any postman, George travels 60 miles each way every day to arrive at work on time, no matter the weather or traffic conditions. His dedication is commendable.

But George will not be remembered simply for his work as our Committee's GPO liaison. He's also an avid ham radio operator, and for 13 years has served as president of the Capitol Hill Amateur Radio Society. The club was formally established in 1969, and, at the urging of Senator Barry Goldwater of Arizona, it established a station in the Russell Senate office building. That station has been maintained on a voluntary basis, without any government funds, ever since. Over the years, the club has stood ready to provide communications in the event of a disaster, and to help connect military personnel overseas with their friends or family members. In one of its many accomplishments under George's leadership, the club in 1991 hosted a commemoration of the bicentennial of the birth of Samuel F.B. Morse, by reenacting Morse's historic 1844 message, ''What hath God wrought!'' from the Nation's Capitol to Baltimore. The telegraph instruments used for the re-enactment were loaned by the Smithsonian Institution, and because the society's members are proficient in Morse code, the re-enactment was historically accurate.

Yet, things have a way of changing. Like hot metal typesetting, ham radio is truly a phenomenon of the 20th century. The advent of the computer and the Internet age have reduced ham radio's appeal. And so now, when George goes, so too goes the Capitol Hill Amateur Radio Club. On George's last day of government service, April 30, the club will disband, the equipment will be donated to a foundation, the antenna removed from the Russell roof. The callsign ''W3USS'' will remain alive but inactive. This marks the end of a remarkable era.

So, let us look to the future. George and his wife Bea live in a little southern Maryland town called Avenue. His house is right on the water, but George doesn't own a boat. He says he's never had time for boating. Now, he's looking at buying a nice little 24-foot or 30-foot ''party boat'' so he can host friends in an occasional leisure-filled afternoon on the lower Potomac. Perhaps, after that little purchase, he won't miss us all quite so much!

In closing, on behalf of myself, and of the current and former staff of the U.S. Senate Republican Policy Committee, I wish to offer heartfelt thanks for George's many valuable years of service, and our hopes that he and his wife enjoy many happy and healthy years of retirement. We truly cannot give enough thanks to someone who has dedicated himself to making sure we Senators—literally—dot our 'i's' and cross our 't's'.●

JACKIE EBRON

● Mr. MOYNIHAN. Mr. President, this past Sunday the Queens Jewish Community Council honored an important member of the staff of the Metropolitan New York Coordinating Council on Jewish Poverty (Met Council). Her name is Jackie Ebron and she helps serve the more than 100,000 clients who are helped by this remarkable organization. Ms. Ebron, the Met Council's longest serving employee and Director of Crisis Intervention is an African-American whose exceptional service to impoverished Jewish New Yorkers was recently highlighted in New York's Jewish Week newspaper.

In the past seven years the Met Council has developed 1300 units of special needs housing for the elderly, mentally ill and the homeless; every day they provide nearly three thousand poor elderly individuals with home care services; they provide job placement to more than one thousand people a year and have trained more than 20,000 home attendants since 1993. Their food programs impact on the lives of well over 100,000 people and they also provide furniture and clothing to thousands. The Met Council's coordination of a network of two dozen Jewish Community Councils across New York City helps deliver services where they are needed in a timely and efficient manner. The Met Council is also one of the most efficient non-profit organizations today. They spend 98% of their budget on programs and services; only 2% is spent on administration.

I ask that the Jewish Week article on Jackie Ebron be printed in the RECORD.

The article follows:

[From the Jewish Week, Mar. 19, 1999]

THEY CALL HER 'MITZVAH MAMA'

(By Heather Robinson)

By the time she was 8 years old, Jackie Ebron, who is soon to become the first African-American to receive the Queens Jewish Community Council's Chesed Award, had begun helping the elderly.

Growing up in the Grant Projects on 125th Street, her family had an elderly neighbor who rarely left her apartment.

''My mother would never send me to the store that I didn't knock on this woman's door and ask, 'Do you need a loaf of bread or milk?'' recalled Ebron on a recent afternoon. ''So [the motivation to help] was with was a child.''

Ebron has channeled that motivation into more than two decades of work helping the elderly and others in need. Over the years, she has visited more than 5,000 needy homes and helped many thousands more clients over the phone. And through her work, she quickly overcame an initial prejudice: ''In my background,'' she says, ''the words Jewish and poor didn't go together. But there is a very big Jewish poor population at the poverty level or below.''

Now the director of crisis intervention services for the Metropolitan Coordinating Council on Jewish Poverty (Met Council) in Manhattan, Ebron will receive the Chesed Award on Sunday at the Third Annual Installation Breakfast of the Queens Jewish Community Council (QJCC). Shea Stadium's Diamond Club, the site of the event, will go kosher for the first time in honor of the breakfast for the QJCC, an organization representing more than 90 synagogues and Jewish organizations throughout the borough.

At the event, Ebron will share her honor with Jane Blumenstein, family violence crisis specialist for Met Council. The pair has been selected because of the extraordinary dedication they bring to their work, according to Manny Behar, executive director of the QJCC. He added that he and other officers of the QJCC chose this year's recipients, as they always do, based on character.

''We always give the award to someone who exemplifies *chesed*, which is Hebrew for acts of loving kindness, and this time, one of the people we selected happens to be African-American and non-Jewish,'' he said.

Because the QJCC and Met Council work together frequently, Behar said he has had many opportunities to observe the rare sensitivity and respect for people which Ebron—whose colleagues call her ''Mitzvah Mama''—brings to her work.

Behar recently watched Ebron provide assistance to a homeless, mentally ill man, and he admired her manner. ''The patience and understanding she showed him were absolutely inspiring,'' he recalled.

According to Peter Brest, chief operation officer at Met Council, Ebron ''combines a great and giving heart with a common sense approach to problem solving.''

While Met Council, which receives public funding, assists many needy non-Jews, it also receives private funds and specifically targets Jewish poverty. The result is that about 80 percent of Ebron's clients are Jews, a fact which is no obstacle to her dedication.

''To me it doesn't matter what race or religion you are,'' she said. ''If you are hungry or homeless, I see your need.''

A social worker for more than 25 years, Ebron, 48, grew up in Harlem, the eldest of seven children raised by a single mother. She attended Washington Irving High School in Gramercy, which was an all-girls school at the time.

After graduating, she started working at Heights Senior Citizens' Center, where her responsibilities entailed escorting elderly people to the bank and helping them with financial transactions. That was during the '70s, before direct deposit, when older people carrying social security checks were frequently targets for thieves.

That job was followed by a stint as an investigator for the mid-Bronx Senior Citizens' Council, a position that involved a large amount of what she describes as ''leg work'' to find elderly people in need.

Met Council hired her in 1977 to work on a special project arranged by a donor. In that

capacity, she made home visits to needy families, and reported what she observed to the benefactor, who then provided financial aid to the neediest cases.

After a series of other jobs, five years ago, Met Council appointed Ebron director of crisis intervention services. A supervisor of six employees, she deals directly with clients, working to provide them with assistance from Met Council and a host of additional agencies. That assistance can take many forms, such as securing job training for a young immigrant, providing funds to prevent an elderly woman from being evicted, or arranging temporary nursing help for a woman who has just given birth to multiple children. About 65 percent of her clients are elderly, 25 percent are families and the rest are young single people, Ebron said.

As an African-American woman serving the needs of a mostly Jewish population Ebron has encountered resistance on both sides of the racial and religious divide.

''I've been asked, 'How come a black woman is in charge of Jewish money?'' said Ebron, adding that she responds, '''Does it matter what I look like? What matters is I'm able to serve you to help you overcome your problem.'''

Similarly, she said, African American colleagues have questioned her choice to work for a Jewish agency.

''I'll say to them, 'My clients are Jewish. Well, I didn't know. I was so focused on the fact that they're people who need my help.' Usually when I answer that way there's no problem, no fight . . . It seems my calling is above all of that.''

Ebron, who is single and describes herself as ''married to [her] job,'' said she is gratified to work for an agency which began modestly and has since launched an array of life- and hope-sustaining programs.

''After 21 years I feel I made the right choice,'' she said.●

RECOGNITION OF THE MISSOURI INVITATIONAL CELEBRITY TURKEY HUNT

● Mr. BOND. Mr. President, I rise today to recognize the annual Missouri Invitational Celebrity Turkey Hunt sponsored by the MITCH club. This year marks the 12th anniversary of this charity event. The weekend of April 23–25, celebrities from all over the country will come to Warsaw, Missouri, to participate in the hunt. This year's participants include celebrities from many different fields including Marty Kove, who has appeared in such movies as The Karate Kid and The Rock; Ed Hearn, former Major League Baseball player; Jack Rudney, former Kansas City Chief; Dave Watson of the Oakridge Boys, and many others. Several corporate sponsors also donate time and money to this event. Following the hunt, there is an auction of items that have been donated by various celebrities, sponsors, as well as local and national wildlife artists.

The money collected from this weekend of activities is donated to various charitable organizations including Children's Mercy Hospital and local victims of natural disasters. Over the last 12 year's, more than $25,000 have been donated to Children's Mercy Hospital and over $25,000 to other local charities for a total of more than $50,000 in charitable contributions from this event.

Mr. President, I commend the MITCH club for their efforts and wish them much success in this year's event, as well as many more years of giving back to the community.●

HONORING MEDICAL LABORATORY WEEK IN INDIANA

● Mr. BAYH. Mr. President, I take the floor today to bring to the attention of my colleagues Indiana's celebration of Medical Laboratory Week.

In the world of health care, it is easy to forget that quality medical testing and exceptional patient care is a team effort. Doctors are the visible element in this complex harmony, but there is another, less visible, but equally important element involved.

Medical laboratory professionals are highly-trained health personnel who perform and evaluate those medical laboratory tests necessary to detect, diagnose, and monitor treatment of diseases. They also help to prevent diseases, while at the same time tirelessly working to develop new methods of combating them. These dedicated men and women save countless lives each day through their firm commitment to a healthier community.

Laboratory medicine is an honorable profession, in its constant and consistent dedication to the well-being of the greater community. Let us not forget that it is also an inseparable and invaluable part of health care without the often-unsung efforts of these fine people, medicine as we know it would not exist.

I therefore ask my colleagues, as well as all citizens, to join me and the State of Indiana in recognizing and supporting the vital service provided by medical laboratory professionals.●

TRIBUTE TO CORNERSTONE COLLEGE MEN'S BASKETBALL TEAM

● Mr. ABRAHAM. Mr. President. I rise today to honor the men's basketball team of Cornerstone College in Grand Rapids, Michigan, and their coach, Kim Elders. This outstanding team recently reached the pinnacle of success by winning the NAIA Division II National Championship for basketball last month.

The Golden Eagles of Cornerstone have received an honor that is reserved for only one team each year. This achievement is the product of hard work, determination, and dedication which was present throughout the Golden Eagles' season. The common focus of the team members was determined early in the pre-season as they declared themselves to be On A Mission.'' Throughout the regular season and continuing into the playoffs, Cornerstone subdued their opponents amassing an amazing record of 37 wins and only three losses, thereby earning the #1 rank in the national polls. At the national tournament in Nampa, Idaho, they proved that they deserved that rank by defeating all challengers. Their exciting season peaked at the championship game, in which Cornerstone beat the two-time defending national champion, Bethel, in an exciting overtime final.

The achievements of the basketball team will be seen by many as a way to promote the glory of sport and the excellence of Cornerstone in particular. Interestingly however, these aspects are not the focus at Cornerstone College. Rather, Cornerstone has followed its motto of Academic Excellence, Christian Commitment,'' by using basketball and their team's success as a medium to bring the Christian message to others. This being the case, the men's basketball team has not only brought a sense of pride to Cornerstone College and the greater community, but their success has been a platform for bringing the hope of Christ to all who hear about their championship.

Mr. President, the men's basketball team of Cornerstone College has shown itself to be a group of unique and talented individuals. I commend them for their dedication and hard work and honor them for the success that it has brought them. Furthermore, I commend Cornerstone College for its unique and important message and for their faithfulness in making it heard. I ask my colleagues to join me in honoring the men's basketball team of Cornerstone College for their success in becoming the 1999 NAIA national champions.●

CORRECTION TO THE RECORD

In the RECORD of April 12, 1999, the texts of S. 293 and H. Con. Res. 68 were inadvertently transposed. The material should have read as follows:

SAN JUAN COLLEGE LAND CONVEYANCE

The text of S. 293, a bill to direct the Secretaries of Agriculture and Interior to convey certain lands in San Juan County, New Mexico, to San Juan College, as passed by the Senate on March 25, 1999, follows:

S. 293

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

SECTION 1. OLD JICARILLA ADMINISTRATIVE SITE.

(a) CONVEYANCE OF PROPERTY.—Not later than one year after the date of completion of the survey referred to in subsection (b), the Secretary of the Interior shall convey to San Juan College, in Farmington, New Mexico, subject to the terms, conditions, and reservations under subsection (c), all right, title, and interest of the United States in and to a parcel of real property (including any improvements on the land) not to exceed 20 acres known as the ''Old Jicarilla Site'' located in San Juan County, New Mexico (T29N; R5W; portions of sections 29 and 30).

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Interior, Secretary of Agriculture, and the President of San Juan

College. The cost of the survey shall be borne by San Juan College.

(c) TERMS, CONDITIONS, AND RESERVATIONS.—

(1) Notwithstanding exceptions of application under the Recreation and Public Purposes Act (43 U.S.C. 869(c)), consideration for the conveyance described in subsection (a) shall be—

(A) an amount that is consistent with the Bureau of Land Management special pricing program for Governmental entities under the Recreation and Public Purposes Act; and

(B) an agreement between the Secretaries of the Interior and Agriculture and San Juan College indemnifying the Government of the United States from all liability of the Government that arises from the property.

(2) The lands conveyed by this Act shall be used for educational and recreational purposes. If such lands cease to be used for such purposes, at the option of the United States, such lands will revert to the United States.

(3) The Secretary of Agriculture shall identify any reservations of rights-of-way for ingress, egress, and utilities as the Secretary deems appropriate.

(4) The conveyance described in subsection (a) shall be subject to valid existing rights.

(d) LAND WITHDRAWALS.—Public Land Order 3443, only insofar as it pertains to lands described in subsections (a) and (b), shall be revoked simultaneous with the conveyance of the property under subsection (a).

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2000

The text of H. Con. Res. 68, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2000 through 2009, as passed by the Senate on March 25, 1999, follows:

H. CON. RES. 68

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2000.

The Congress declares that this is the concurrent resolution on the budget for fiscal year 2000 and that the appropriate budgetary levels for fiscal years 2001 through 2009 are hereby set forth.

SEC. 2. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of 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: $1,408,500,000,000.
Fiscal year 2001: $1,435,300,000,000.
Fiscal year 2002: $1,456,300,000,000.
Fiscal year 2003: $1,532,600,000,000.
Fiscal year 2004: $1,584,100,000,000.
Fiscal year 2005: $1,651,000,000,000.
Fiscal year 2006: $1,684,400,000,000.
Fiscal year 2007: $1,733,200,000,000.
Fiscal year 2008: $1,802,800,000,000.
Fiscal year 2009: $1,867,500,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2000: $0.
Fiscal year 2001: −$9,800,000,000.
Fiscal year 2002: −$52,000,000,000.
Fiscal year 2003: −$30,700,000,000.
Fiscal year 2004: −$50,000,000,000.
Fiscal year 2005: −$59,900,000,000.
Fiscal year 2006: −$106,300,000,000.
Fiscal year 2007: −$138,200,000,000.
Fiscal year 2008: −$153,400,000,000.
Fiscal year 2009: −$178,200,000,000.

(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: $1,426,600,000,000.
Fiscal year 2001: $1,456,100,000,000.
Fiscal year 2002: $1,487,300,000,000.
Fiscal year 2003: $1,558,300,000,000.
Fiscal year 2004: $1,611,700,000,000.
Fiscal year 2005: $1,665,600,000,000.
Fiscal year 2006: $1,697,000,000,000.
Fiscal year 2007: $1,752,200,000,000.
Fiscal year 2008: $1,813,800,000,000.
Fiscal year 2009: $1,874,400,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2000: $1,408,100,000,000.
Fiscal year 2001: $1,435,300,000,000.
Fiscal year 2002: $1,455,100,000,000.
Fiscal year 2003: $1,532,500,000,000.
Fiscal year 2004: $1,583,900,000,000.
Fiscal year 2005: $1,638,600,000,000.
Fiscal year 2006: $1,666,400,000,000.
Fiscal year 2007: $1,715,900,000,000.
Fiscal year 2008: $1,781,200,000,000.
Fiscal year 2009: $1,841,300,000,000.

(4) SURPLUSES.—For purposes of the enforcement of this resolution, the amounts of the surpluses are as follows:

Fiscal year 2000: $400,000,000.
Fiscal year 2001: $0.
Fiscal year 2002: $1,200,000,000.
Fiscal year 2003: $100,000,000.
Fiscal year 2004: $200,000,000.
Fiscal year 2005: $12,400,000,000.
Fiscal year 2006: $18,000,000,000.
Fiscal year 2007: $17,300,000,000.
Fiscal year 2008: $21,600,000,000.
Fiscal year 2009: $26,200,000,000.

(5) PUBLIC DEBT.—The appropriate levels of the public debt are as follows:

Fiscal year 2000: $5,627,700,000,000.
Fiscal year 2001: $5,707,700,000,000.
Fiscal year 2002: $5,791,500,000,000.
Fiscal year 2003: $5,875,000,000,000.
Fiscal year 2004: $5,954,800,000,000.
Fiscal year 2005: $6,019,600,000,000.
Fiscal year 2006: $6,075,400,000,000.
Fiscal year 2007: $6,128,700,000,000.
Fiscal year 2008: $6,168,100,000,000.
Fiscal year 2009: $6,198,100,000,000.

SEC. 3. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and budget outlays for fiscal years 2000 through 2009 for each major functional category are:

(1) National Defense (050):
Fiscal year 2000:
(A) New budget authority, $288,800,000,000.
(B) Outlays, $276,600,000,000.
Fiscal year 2001:
(A) New budget authority, $303,600,000,000.
(B) Outlays, $285,900,000,000.
Fiscal year 2002:
(A) New budget authority, $308,200,000,000.
(B) Outlays, $291,700,000,000.
Fiscal year 2003:
(A) New budget authority, $318,300,000,000.
(B) Outlays, $303,600,000,000.
Fiscal year 2004:
(A) New budget authority, $327,200,000,000.
(B) Outlays, $313,500,000,000.
Fiscal year 2005:
(A) New budget authority, $328,400,000,000.
(B) Outlays, $316,700,000,000.
Fiscal year 2006:
(A) New budget authority, $329,600,000,000.
(B) Outlays, $315,100,000,000.
Fiscal year 2007:
(A) New budget authority, $330,900,000,000.
(B) Outlays, $313,700,000,000.
Fiscal year 2008:
(A) New budget authority, $332,200,000,000.
(B) Outlays, $317,100,000,000.
Fiscal year 2009:
(A) New budget authority, $333,500,000,000.
(B) Outlays, $318,000,000,000.

(2) International Affairs (150):
Fiscal year 2000:
(A) New budget authority, $11,200,000,000.
(B) Outlays, $14,500,000,000.
Fiscal year 2001:
(A) New budget authority, $10,600,000,000.
(B) Outlays, $15,100,000,000.
Fiscal year 2002:
(A) New budget authority, $9,800,000,000.
(B) Outlays, $14,400,000,000.
Fiscal year 2003:
(A) New budget authority, $11,600,000,000.
(B) Outlays, $13,600,000,000.
Fiscal year 2004:
(A) New budget authority, $13,500,000,000.
(B) Outlays, $13,300,000,000.
Fiscal year 2005:
(A) New budget authority, $13,700,000,000.
(B) Outlays, $12,900,000,000.
Fiscal year 2006:
(A) New budget authority, $13,900,000,000.
(B) Outlays, $12,600,000,000.
Fiscal year 2007:
(A) New budget authority, $13,900,000,000.
(B) Outlays, $12,400,000,000.
Fiscal year 2008:
(A) New budget authority, $14,000,000,000.
(B) Outlays, $12,200,000,000.
Fiscal year 2009:
(A) New budget authority, $14,000,000,000
(B) Outlays, $12,100,000,000.

(3) General Science, Space, and Technology (250):
Fiscal year 2000:
(A) New budget authority, $18,000,000,000.
(B) Outlays, $18,200,000,000.
Fiscal year 2001:
(A) New budget authority, $17,900,000,000.
(B) Outlays, $17,900,000,000.
Fiscal year 2002:
(A) New budget authority, $17,900,000,000.
(B) Outlays, $17,900,000,000.
Fiscal year 2003:
(A) New budget authority, $17,900,000,000.
(B) Outlays, $17,800,000,000.
Fiscal year 2004:
(A) New budget authority, $17,900,000,000.
(B) Outlays, $17,800,000,000.
Fiscal year 2005:
(A) New budget authority, $17,900,000,000.
(B) Outlays, $17,800,000,000.
Fiscal year 2006:
(A) New budget authority, $17,900,000,000.
(B) Outlays, $17,800,000,000.
Fiscal year 2007:
(A) New budget authority, $17,900,000,000.
(B) Outlays, $17,800,000,000.
Fiscal year 2008:
(A) New budget authority, $17,900,000,000.
(B) Outlays, $17,800,000,000.
Fiscal year 2009:
(A) New budget authority, $17,900,000,000.
(B) Outlays, $17,800,000,000.

(4) Energy (270):
Fiscal year 2000:
(A) New budget authority, $0.
(B) Outlays, −$700,000,000.
Fiscal year 2001:
(A) New budget authority, −$1,400,000,000.
(B) Outlays, −$3,100,000,000.
Fiscal year 2002:
(A) New budget authority, −$200,000,000.
(B) Outlays, −$1,100,000,000.
Fiscal year 2003:
(A) New budget authority, −$100,000,000.
(B) Outlays, −$1,200,000,000.
Fiscal year 2004:
(A) New budget authority, −$300,000,000.
(B) Outlays, −$1,400,000,000.
Fiscal year 2005:
(A) New budget authority, −$400,000,000.
(B) Outlays, −$1,500,000,000.
Fiscal year 2006:
(A) New budget authority, −$500,000,000.

(B) Outlays, −$1,500,000,000.
Fiscal year 2007:
(A) New budget authority, −$500,000,000.
(B) Outlays, −$1,400,000,000.
Fiscal year 2008:
(A) New budget authority, −$200,000,000.
(B) Outlays, −$1,100,000,000.
Fiscal year 2009:
(A) New budget authority, −$100,000,000.
(B) Outlays, −$1,100,000,000.
(5) Natural Resources and Environment (300):
Fiscal year 2000:
(A) New budget authority, $22,800,000,000.
(B) Outlays, $22,600,000,000.
Fiscal year 2001:
(A) New budget authority, $22,500,000,000.
(B) Outlays, $22,000,000,000.
Fiscal year 2002:
(A) New budget authority, $22,400,000,000.
(B) Outlays, $21,400,000,000.
Fiscal year 2003:
(A) New budget authority, $22,500,000,000.
(B) Outlays, $22,600,000,000.
Fiscal year 2004:
(A) New budget authority, $23,500,000,000.
(B) Outlays, $23,500,000,000.
Fiscal year 2005:
(A) New budget authority, $23,500,000,000.
(B) Outlays, $23,400,000,000.
Fiscal year 2006:
(A) New budget authority, $23,600,000,000.
(B) Outlays, $23,500,000,000.
Fiscal year 2007:
(A) New budget authority, $23,700,000,000.
(B) Outlays, $23,400,000,000.
Fiscal year 2008:
(A) New budget authority, $23,700,000,000.
(B) Outlays, $23,400,000,000.
Fiscal year 2009:
(A) New budget authority, $24,000,000,000.
(B) Outlays, $23,700,000,000.
(6) Agriculture (350):
Fiscal year 2000:
(A) New budget authority, $14,300,000,000.
(B) Outlays, $13,200,000,000.
Fiscal year 2001:
(A) New budget authority, $13,500,000,000.
(B) Outlays, $11,300,000,000.
Fiscal year 2002:
(A) New budget authority, $11,800,000,000.
(B) Outlays, $10,000,000,000.
Fiscal year 2003:
(A) New budget authority, $12,000,000,000.
(B) Outlays, $10,300,000,000.
Fiscal year 2004:
(A) New budget authority, $12,100,000,000.
(B) Outlays, $10,500,000,000.
Fiscal year 2005:
(A) New budget authority, $10,600,000,000.
(B) Outlays, $9,900,000,000.
Fiscal year 2006:
(A) New budget authority, $10,600,000,000.
(B) Outlays, $9,100,000,000.
Fiscal year 2007:
(A) New budget authority, $10,700,000,000.
(B) Outlays, $9,100,000,000.
Fiscal year 2008:
(A) New budget authority, $10,800,000,000.
(B) Outlays, $9,200,000,000.
Fiscal year 2009:
(A) New budget authority, $10,900,000,000.
(B) Outlays, $9,200,000,000.
(7) Commerce and Housing Credit (370):
Fiscal year 2000:
(A) New budget authority, $9,900,000,000.
(B) Outlays, $4,500,000,000.
Fiscal year 2001:
(A) New budget authority, $10,600,000,000.
(B) Outlays, $5,800,000,000.
Fiscal year 2002:
(A) New budget authority, $14,500,000,000.
(B) Outlays, $10,200,000,000.
Fiscal year 2003:
(A) New budget authority, $14,500,000,000.
(B) Outlays, $10,900,000,000.
Fiscal year 2004:
(A) New budget authority, $13,900,000,000.
(B) Outlays, $10,400,000,000.
Fiscal year 2005:
(A) New budget authority, $12,700,000,000.
(B) Outlays, $9,400,000,000.
Fiscal year 2006:
(A) New budget authority, $12,600,000,000.
(B) Outlays, $9,100,000,000.
Fiscal year 2007:
(A) New budget authority, $12,700,000,000.
(B) Outlays, $8,900,000,000.
Fiscal year 2008:
(A) New budget authority, $12,600,000,000.
(B) Outlays, $8,500,000,000.
Fiscal year 2009:
(A) New budget authority, $13,400,000,000.
(B) Outlays, $8,800,000,000.
(8) Transportation (400):
Fiscal year 2000:
(A) New budget authority, $51,800,000,000.
(B) Outlays, $45,800,000,000.
Fiscal year 2001:
(A) New budget authority, $51,000,000,000.
(B) Outlays, $47,700,000,000.
Fiscal year 2002:
(A) New budget authority, $50,800,000,000.
(B) Outlays, $47,300,000,000.
Fiscal year 2003:
(A) New budget authority, $52,300,000,000.
(B) Outlays, $46,800,000,000.
Fiscal year 2004:
(A) New budget authority, $52,300,000,000.
(B) Outlays, $46,300,000,000.
Fiscal year 2005:
(A) New budget authority, $52,300,000,000.
(B) Outlays, $46,100,000,000.
Fiscal year 2006:
(A) New budget authority, $52,300,000,000.
(B) Outlays, $46,000,000,000.
Fiscal year 2007:
(A) New budget authority, $52,400,000,000.
(B) Outlays, $46,000,000,000.
Fiscal year 2008:
(A) New budget authority, $52,400,000,000.
(B) Outlays, $46,100,000,000.
Fiscal year 2009:
(A) New budget authority, $52,400,000,000.
(B) Outlays, $46,100,000,000.
(9) Community and Regional Development (450):
Fiscal year 2000:
(A) New budget authority, $7,400,000,000.
(B) Outlays, $10,700,000,000.
Fiscal year 2001:
(A) New budget authority, $5,300,000,000.
(B) Outlays, $9,100,000,000.
Fiscal year 2002:
(A) New budget authority, $5,300,000,000.
(B) Outlays, $7,000,000,000.
Fiscal year 2003:
(A) New budget authority, $5,700,000,000.
(B) Outlays, $6,100,000,000.
Fiscal year 2004:
(A) New budget authority, $5,600,000,000.
(B) Outlays, $5,500,000,000.
Fiscal year 2005:
(A) New budget authority, $5,600,000,000.
(B) Outlays, $4,800,000,000.
Fiscal year 2006:
(A) New budget authority, $5,600,000,000.
(B) Outlays, $4,500,000,000.
Fiscal year 2007:
(A) New budget authority, $5,600,000,000.
(B) Outlays, $4,400,000,000.
Fiscal year 2008:
(A) New budget authority, $5,600,000,000.
(B) Outlays, $4,300,000,000.
Fiscal year 2009:
(A) New budget authority, $5,600,000,000.
(B) Outlays, $4,300,000,000.
(10) Elementary and Secondary Education, and Vocational Education (501):
Fiscal year 2000:
(A) New budget authority, $22,000,000,000.
(B) Outlays, $20,100,000,000.
Fiscal year 2001:
(A) New budget authority, $24,100,000,000.
(B) Outlays, $21,900,000,000.
Fiscal year 2002:
(A) New budget authority, $24,500,000,000.
(B) Outlays, $22,700,000,000.
Fiscal year 2003:
(A) New budget authority, $25,900,000,000.
(B) Outlays, $24,500,000,000.
Fiscal year 2004:
(A) New budget authority, $26,900,000,000.
(B) Outlays, $25,600,000,000.
Fiscal year 2005:
(A) New budget authority, $26,900,000,000.
(B) Outlays, $26,600,000,000.
Fiscal year 2006:
(A) New budget authority, $26,900,000,000.
(B) Outlays, $26,800,000,000.
Fiscal year 2007:
(A) New budget authority, $26,900,000,000.
(B) Outlays, $26,900,000,000.
Fiscal year 2008:
(A) New budget authority, $26,900,000,000.
(B) Outlays, $26,900,000,000.
Fiscal year 2009:
(A) New budget authority, $26,900,000,000.
(B) Outlays, $26,900,000,000.
(11) Higher Education, Training, Employment, and Social Services (500, except for 501):
Fiscal year 2000:
(A) New budget authority, $43,300,000,000.
(B) Outlays, $43,500,000,000.
Fiscal year 2001:
(A) New budget authority, $41,400,000,000.
(B) Outlays, $41,900,000,000.
Fiscal year 2002:
(A) New budget authority, $41,200,000,000.
(B) Outlays, $40,900,000,000.
Fiscal year 2003:
(A) New budget authority, $42,700,000,000.
(B) Outlays, $41,900,000,000.
Fiscal year 2004:
(A) New budget authority, $43,000,000,000.
(B) Outlays, $42,300,000,000.
Fiscal year 2005:
(A) New budget authority, $43,900,000,000.
(B) Outlays, $42,900,000,000.
Fiscal year 2006:
(A) New budget authority, $44,600,000,000.
(B) Outlays, $43,700,000,000.
Fiscal year 2007:
(A) New budget authority, $45,500,000,000.
(B) Outlays, $44,500,000,000.
Fiscal year 2008:
(A) New budget authority, $46,500,000,000.
(B) Outlays, $45,500,000,000.
Fiscal year 2009:
(A) New budget authority, $46,500,000,000.
(B) Outlays, $45,500,000,000.
(12) Health (550):
Fiscal year 2000:
(A) New budget authority, $156,200,000,000.
(B) Outlays, $153,000,000,000.
Fiscal year 2001:
(A) New budget authority, $164,100,000,000.
(B) Outlays, $162,400,000,000.
Fiscal year 2002:
(A) New budget authority, $173,300,000,000.
(B) Outlays, $173,800,000,000.
Fiscal year 2003:
(A) New budget authority, $184,700,000,000.
(B) Outlays, $185,300,000,000.
Fiscal year 2004:
(A) New budget authority, $197,900,000,000.
(B) Outlays, $198,500,000,000.
Fiscal year 2005:
(A) New budget authority, $212,800,000,000.
(B) Outlays, $212,600,000,000.
Fiscal year 2006:
(A) New budget authority, $228,400,000,000.
(B) Outlays, $228,300,000,000.
Fiscal year 2007:
(A) New budget authority, $246,300,000,000.
(B) Outlays, $245,500,000,000.
Fiscal year 2008:
(A) New budget authority, $265,200,000,000.
(B) Outlays, $264,400,000,000.
Fiscal year 2009:
(A) New budget authority, $285,500,000,000.
(B) Outlays, $284,900,000,000.
(13) Medicare (570):

Fiscal year 2000:
(A) New budget authority, $208,700,000,000.
(B) Outlays, $208,700,000,000.
Fiscal year 2001:
(A) New budget authority, $222,100,000,000.
(B) Outlays, $222,300,000,000.
Fiscal year 2002:
(A) New budget authority, $230,600,000,000.
(B) Outlays, $230,200,000,000.
Fiscal year 2003:
(A) New budget authority, $250,700,000,000.
(B) Outlays, $250,900,000,000.
Fiscal year 2004:
(A) New budget authority, $268,600,000,000.
(B) Outlays, $268,700,000,000.
Fiscal year 2005:
(A) New budget authority, $295,600,000,000.
(B) Outlays, $295,200,000,000.
Fiscal year 2006:
(A) New budget authority, $306,800,000,000.
(B) Outlays, $306,900,000,000.
Fiscal year 2007:
(A) New budget authority, $337,600,000,000.
(B) Outlays, $337,800,000,000.
Fiscal year 2008:
(A) New budget authority, $365,600,000,000.
(B) Outlays, $365,200,000,000.
Fiscal year 2009:
(A) New budget authority, $394,100,000,000.
(B) Outlays, $394,200,000,000.
(14) Income Security (600):
Fiscal year 2000:
(A) New budget authority, $244,400,000,000.
(B) Outlays, $248,100,000,000.
Fiscal year 2001:
(A) New budget authority, $250,500,000,000.
(B) Outlays, $257,400,000,000.
Fiscal year 2002:
(A) New budget authority, $262,700,000,000.
(B) Outlays, $267,000,000,000.
Fiscal year 2003:
(A) New budget authority, $277,000,000,000.
(B) Outlays, $276,800,000,000.
Fiscal year 2004:
(A) New budget authority, $286,200,000,000.
(B) Outlays, $286,000,000,000.
Fiscal year 2005:
(A) New budget authority, $298,500,000,000.
(B) Outlays, $298,700,000,000.
Fiscal year 2006:
(A) New budget authority, $304,800,000,000.
(B) Outlays, $305,200,000,000.
Fiscal year 2007:
(A) New budget authority, $310,600,000,000.
(B) Outlays, $311,500,000,000.
Fiscal year 2008:
(A) New budget authority, $323,900,000,000.
(B) Outlays, $325,400,000,000.
Fiscal year 2009:
(A) New budget authority, $334,200,000,000.
(B) Outlays, $335,700,000,000.
(15) Social Security (650):
Fiscal year 2000:
(A) New budget authority, $14,200,000,000.
(B) Outlays, $14,300,000,000.
Fiscal year 2001:
(A) New budget authority, $13,800,000,000.
(B) Outlays, $13,800,000,000.
Fiscal year 2002:
(A) New budget authority, $15,600,000,000.
(B) Outlays, $15,600,000,000.
Fiscal year 2003:
(A) New budget authority, $16,300,000,000.
(B) Outlays, $16,300,000,000.
Fiscal year 2004:
(A) New budget authority, $17,100,000,000.
(B) Outlays, $17,100,000,000.
Fiscal year 2005:
(A) New budget authority, $18,000,000,000.
(B) Outlays, $17,900,000,000.
Fiscal year 2006:
(A) New budget authority, $18,900,000,000.
(B) Outlays, $18,900,000,000.
Fiscal year 2007:
(A) New budget authority, $19,900,000,000.
(B) Outlays, $19,900,000,000.
Fiscal year 2008:
(A) New budget authority, $21,000,000,000.
(B) Outlays, $21,000,000,000.
Fiscal year 2009:
(A) New budget authority, $22,200,000,000.
(B) Outlays, $22,200,000,000.
(16) Veterans Benefits and Services (700):
Fiscal year 2000:
(A) New budget authority, $44,700,000,000.
(B) Outlays, $45,100,000,000.
Fiscal year 2001:
(A) New budget authority, $44,300,000,000.
(B) Outlays, $45,000,000,000.
Fiscal year 2002:
(A) New budget authority, $44,700,000,000.
(B) Outlays, $45,100,000,000.
Fiscal year 2003:
(A) New budget authority, $45,900,000,000.
(B) Outlays, $46,400,000,000.
Fiscal year 2004:
(A) New budget authority, $46,200,000,000.
(B) Outlays, $46,700,000,000.
Fiscal year 2005:
(A) New budget authority, $48,800,000,000.
(B) Outlays, $49,300,000,000.
Fiscal year 2006:
(A) New budget authority, $47,300,000,000.
(B) Outlays, $47,800,000,000.
Fiscal year 2007:
(A) New budget authority, $47,800,000,000.
(B) Outlays, $46,200,000,000.
Fiscal year 2008:
(A) New budget authority, $48,500,000,000.
(B) Outlays, $49,000,000,000.
Fiscal year 2009:
(A) New budget authority, $49,100,000,000.
(B) Outlays, $49,700,000,000.
(17) Administration of Justice (750):
Fiscal year 2000:
(A) New budget authority, $23,400,000,000.
(B) Outlays, $25,300,000,000.
Fiscal year 2001:
(A) New budget authority, $24,700,000,000.
(B) Outlays, $25,100,000,000.
Fiscal year 2002:
(A) New budget authority, $24,700,000,000.
(B) Outlays, $24,900,000,000.
Fiscal year 2003:
(A) New budget authority, $24,600,000,000.
(B) Outlays, $24,400,000,000.
Fiscal year 2004:
(A) New budget authority, $26,200,000,000.
(B) Outlays, $26,100,000,000.
Fiscal year 2005:
(A) New budget authority, $26,300,000,000.
(B) Outlays, $26,200,000,000.
Fiscal year 2006:
(A) New budget authority, $26,400,000,000.
(B) Outlays, $26,200,000,000.
Fiscal year 2007:
(A) New budget authority, $26,400,000,000.
(B) Outlays, $26,300,000,000.
Fiscal year 2008:
(A) New budget authority, $26,500,000,000.
(B) Outlays, $26,300,000,000.
Fiscal year 2009:
(A) New budget authority, $26,500,000,000.
(B) Outlays, $26,400,000,000.
(18) General Government (800):
Fiscal year 2000:
(A) New budget authority, $12,300,000,000.
(B) Outlays, $13,500,000,000.
Fiscal year 2001:
(A) New budget authority, $11,900,000,000.
(B) Outlays, $12,600,000,000.
Fiscal year 2002:
(A) New budget authority, $12,100,000,000.
(B) Outlays, $12,300,000,000.
Fiscal year 2003:
(A) New budget authority, $12,100,000,000.
(B) Outlays, $12,200,000,000.
Fiscal year 2004:
(A) New budget authority, $12,100,000,000.
(B) Outlays, $12,200,000,000.
Fiscal year 2005:
(A) New budget authority, $12,100,000,000.
(B) Outlays, $11,900,000,000.
Fiscal year 2006:
(A) New budget authority, $12,100,000,000.
(B) Outlays, $11,800,000,000.
Fiscal year 2007:
(A) New budget authority, $12,200,000,000.
(B) Outlays, $11,900,000,000.
Fiscal year 2008:
(A) New budget authority, $12,200,000,000.
(B) Outlays, $12,100,000,000.
Fiscal year 2009:
(A) New budget authority, $12,200,000,000.
(B) Outlays, $11,900,000,000.
(19) Net Interest (900):
Fiscal year 2000:
(A) New budget authority, $275,500,000,000.
(B) Outlays, $275,500,000,000.
Fiscal year 2001:
(A) New budget authority, $271,000,000,000.
(B) Outlays, $271,000,000,000.
Fiscal year 2002:
(A) New budget authority, $267,400,000,000.
(B) Outlays, $267,400,000,000.
Fiscal year 2003:
(A) New budget authority, $265,100,000,000.
(B) Outlays, $265,100,000,000.
Fiscal year 2004:
(A) New budget authority, $263,400,000,000.
(B) Outlays, $263,400,000,000.
Fiscal year 2005:
(A) New budget authority, $261,000,000,000.
(B) Outlays, $261,000,000,000.
Fiscal year 2006:
(A) New budget authority, $258,600,000,000.
(B) Outlays, $258,600,000,000.
Fiscal year 2007:
(A) New budget authority, $257,000,000,000.
(B) Outlays, $257,000,000,000.
Fiscal year 2008:
(A) New budget authority, $254,700,000,000.
(B) Outlays, $254,700,000,000.
Fiscal year 2009:
(A) New budget authority, $252,700,000,000.
(B) Outlays, $252,700,000,000.
(20) Allowances (920):
Fiscal year 2000:
(A) New budget authority, −$8,000,000,000.
(B) Outlays, −$10,100,000,000.
Fiscal year 2001:
(A) New budget authority, −$8,500,000,000.
(B) Outlays, −$12,900,000,000.
Fiscal year 2002:
(A) New budget authority, −$6,400,000,000.
(B) Outlays, −$20,000,000,000.
Fiscal year 2003:
(A) New budget authority, −$4,400,000,000.
(B) Outlays, −$4,800,000,000.
Fiscal year 2004:
(A) New budget authority, −$4,500,000,000.
(B) Outlays, −$5,000,000,000.
Fiscal year 2005:
(A) New budget authority, −$4,500,000,000.
(B) Outlays, −$5,100,000,000.
Fiscal year 2006:
(A) New budget authority, −$4,600,000,000.
(B) Outlays, −$5,200,000,000.
Fiscal year 2007:
(A) New budget authority, −$5,200,000,000.
(B) Outlays, −$5,800,000,000.
Fiscal year 2008:
(A) New budget authority, −$5,300,000,000.
(B) Outlays, −$5,900,000,000.
Fiscal year 2009:
(A) New budget authority, −$5,300,000,000.
(B) Outlays, −$5,900,000,000.
(21) Undistributed Offsetting Receipts (950):
Fiscal year 2000:
(A) New budget authority, −$34,300,000,000.
(B) Outlays, −$34,300,000,000.
Fiscal year 2001:
(A) New budget authority, −$36,900,000,000.
(B) Outlays, −$36,900,000,000.
Fiscal year 2002:
(A) New budget authority, −$43,600,000,000.
(B) Outlays, −$43,600,000,000.
Fiscal year 2003:
(A) New budget authority, −$37,000,000,000.
(B) Outlays, −$37,000,000,000.
Fiscal year 2004:
(A) New budget authority, −$37,100,000,000.
(B) Outlays, −$37,100,000,000.
Fiscal year 2005:

(A) New budget authority, −$38,100,000,000.
(B) Outlays, −$38,100,000,000.
Fiscal year 2006:
(A) New budget authority, −$38,800,000,000.
(B) Outlays, −$38,800,000,000.
Fiscal year 2007:
(A) New budget authority, −$40,100,000,000.
(B) Outlays, −$40,100,000,000.
Fiscal year 2008:
(A) New budget authority, −$40,900,000,000.
(B) Outlays, −$40,900,000,000.
Fiscal year 2009:
(A) New budget authority, −$41,800,000,000.
(B) Outlays, −$41,800,000,000.

SEC. 4. RECONCILIATION.

Not later than September 30, 1999, the House Committee on Ways and Means shall report to the House a reconciliation bill that consists of changes in laws within its jurisdiction such that the total level of revenues is not less than: $1,408,500,000,000 in revenues for fiscal year 2000, $7,416,800,000,000 in revenues for fiscal years 2000 through 2004, and $16,155,700,000,000 in revenues for fiscal years 2000 through 2009.

SEC. 5. SAFE DEPOSIT BOX FOR SOCIAL SECURITY SURPLUSES.

(a) FINDINGS.—Congress finds that—

(1) under the Budget Enforcement Act of 1990, the social security trust funds are off-budget for purposes of the President's budget submission and the concurrent resolution on the budget;

(2) the social security trust funds have been running surpluses for 17 years;

(3) these surpluses have been used to implicitly finance the general operations of the Federal Government;

(4) in fiscal year 2000, the social security surplus will exceed $137 billion;

(5) for the first time, a concurrent resolution on the budget balances the Federal budget without counting social security surpluses; and

(6) the only way to ensure that social security surpluses are not diverted for other purposes is to balance the budget exclusive of such surpluses.

(b) POINT OF ORDER.—(1) It shall not be in order in the House of Representatives or the Senate to consider any concurrent resolution on the budget, or any amendment thereto or conference report thereon, that sets forth a deficit for any fiscal year. For purposes of this subsection, a deficit shall be the level (if any) set forth in the most recently agreed to concurrent resolution on the budget for that fiscal year pursuant to section 301(a)(3) of the Congressional Budget Act of 1974. In setting forth the deficit level pursuant to such section, that level shall not include any adjustments in aggregates that would be made pursuant to any reserve fund that provides for adjustments in allocations and aggregates for legislation that enhances retirement security or extends the solvency of the Medicare trust funds or makes such changes in the Medicare payment or benefit structure as are necessary.

(2) Paragraph (1) may be waived in the Senate only by the affirmative vote of three-fifths of the Members voting.

(c) SENSE OF THE CONGRESS.—It is the sense of the Congress that—

(1) beginning with fiscal year 2000, legislation should be enacted to require any official statement issued by the Office of Management and Budget, the Congressional Budget Office, or any other agency or instrumentality of the Government of surplus or deficit totals of the budget of the Government as submitted by the President or of the surplus or deficit totals of the congressional budget, and any description of, or reference to, such totals in any official publication or material issued by either of such offices or any other such agency or instrumentality, should exclude the outlays and receipts of the old-age, survivors, and disability insurance program under title II of the Social Security Act (including the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund) and the related provisions of the Internal Revenue Code of 1986; and

(2) legislation should be considered to augment subsection (b) by—

(A) taking such steps as may be required to safeguard the social security surpluses, such as statutory changes equivalent to the reserve fund for retirement security and Medicare set forth in section 6; or

(B) otherwise establishing a statutory limit on debt held by the public and reducing such limit by the amounts of the social security surpluses.

SEC. 6. RESERVE FUND FOR RETIREMENT SECURITY AND, AS NEEDED, MEDICARE.

(a) RETIREMENT SECURITY.—Whenever the Committee on Ways and Means of the House reports a bill, or an amendment thereto is offered, or a conference report thereon is submitted that enhances retirement security, the chairman of the Committee on the Budget may—

(1) increase the appropriate allocations for each of fiscal years 2000 through 2004 and aggregates for each of fiscal years 2000 through 2009 of new budget authority and outlays by the amount of new budget authority provided by such measure (and outlays flowing therefrom) for such fiscal year for that purpose; and

(2) reduce the revenue aggregates for each of fiscal years 2000 through 2009 by the amount of the revenue loss resulting from that measure for such fiscal year for that purpose.

(b) MEDICARE PROGRAM.—Whenever the Committee on Ways and Means or the Committee on Commerce of the House reports a bill, or an amendment thereto is offered, or a conference report thereon is submitted that extends the solvency or reforms the benefit or payment structure of the Medicare Program, including any measure in response to the National Bipartisan Commission on the Future of Medicare, the chairman of the Committee on the Budget may increase the appropriate allocations and aggregates of new budget authority and outlays by the amounts provided in that bill for that purpose.

(c) LIMITATION.—(1) The chairman of the Committee on the Budget may only make adjustments under subsection (a) or (b) if the net outlay increase plus revenue reduction resulting from any measure referred to in those subsections (including any prior adjustments made for any other such measure) for fiscal year 2000, the period of fiscal years 2000 through 2004, or the period of fiscal years 2000 through 2009 is not greater than an amount equal to the projected social security surplus for such period, as set forth in the joint explanatory statement of managers accompanying this concurrent resolution or, if published, the midsession review for fiscal year 2000 of the Director of the Congressional Budget Office. For purposes of the preceding sentence, revenue reductions shall be treated as a positive number.

(2) In the midsession review for fiscal year 2000, the Director of the Congressional Budget Office, in consultation with the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, shall make an up-to-date estimate of the projected surpluses in the social security trust funds for fiscal year 2000, for the period of fiscal years 2000 through 2004, and for the period of fiscal years 2000 through 2009.

(3) As used in this subsection, the term ''social security trust funds'' means the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

SEC. 7. RESERVE FUND FOR PROGRAMS AUTHORIZED UNDER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT.

(a) IN GENERAL.—In the House, when the Committee on Appropriations reports a bill or joint resolution, or an amendment thereto is offered, or a conference report thereon is submitted that provides new budget authority for fiscal year 2000, 2001, 2002, 2003, or 2004 for programs authorized under the Individuals with Disabilities Education Act (IDEA), the chairman of the Committee on the Budget may increase the appropriate allocations and aggregates of new budget authority and outlays by an amount not to exceed the amount of new budget authority provided by that measure (and outlays flowing therefrom) for that purpose up to the maximum amount consistent with section 611(a) of the Individuals with Disabilities Education Act (20 U.S.C. 1411(a)(2)).

(b) ADJUSTMENTS.—The adjustments in outlays (and the corresponding amount of new budget authority) made under subsection (a) for any fiscal year may not exceed the amount by which an up-to-date projection of the on-budget surplus made by the Director of the Congressional Budget Office for that fiscal year exceeds the on-budget surplus for that fiscal year set forth in section 2(4) of this resolution.

(c) CBO PROJECTIONS.—Upon the request of the chairman of the Committee on the Budget of the House, the Director of the Congressional Budget Office shall make an up-to-date estimate of the projected on-budget surplus for the applicable fiscal year.

SEC. 8. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution for any measure shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

SEC. 9. UPDATED CBO PROJECTIONS.

Each calendar quarter the Director of the Congressional Budget Office shall make an up-to-date estimate of receipts, outlays and surplus (on-budget and off-budget) for the current fiscal year.

SEC. 10. SENSE OF THE CONGRESS ON THE COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM.

(a) FINDINGS.—Congress finds that—

(1) persecution of individuals on the sole ground of their religious beliefs and practices occurs in countries around the world and affects millions of lives;

(2) such persecution violates international norms of human rights, including those established in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Helsinki Accords, and the Declaration on the Elimination of all Forms of Intolerance and Discrimination Based on Religion or Belief;

(3) such persecution is abhorrent to all Americans, and our very Nation was founded on the principle of the freedom to worship according to the dictates of our conscience; and

(4) in 1998 Congress unanimously passed, and President Clinton signed into law, the

International Religious Freedom Act of 1998, which established the United States Commission on International Religious Freedom to monitor facts and circumstances of violations of religious freedom and authorized $3,000,000 to carry out the functions of the Commission for each of fiscal years 1999 and 2000.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that—

(1) this resolution assumes that $3,000,000 will be appropriated within function 150 for fiscal year 2000 for the United States Commission on International Religious Freedom to carry out its duties; and

(2) the House Committee on Appropriations is strongly urged to appropriate such amount for the Commission.

SEC. 11. SENSE OF THE HOUSE ON PROVIDING ADDITIONAL DOLLARS TO THE CLASSROOM.

(a) FINDINGS.—The House finds that—

(1) strengthening America's public schools while respecting State and local control is critically important to the future of our children and our Nation;

(2) education is a local responsibility, a State priority, and a national concern;

(3) working with the Nation's governors, parents, teachers, and principals must take place in order to strengthen public schools and foster educational excellence;

(4) the consolidation of various Federal education programs will benefit our Nation's children, parents, and teachers by sending more dollars directly to the classroom; and

(5) our Nation's children deserve an educational system that will provide opportunities to excel.

(b) SENSE OF THE HOUSE.—It is the sense of the House that—

(1) the House should enact legislation that would consolidate thirty-one Federal K–12 education programs; and

(2) the Department of Education, the States, and local educational agencies should work together to ensure that not less than 95 percent of all funds appropriated for the purpose of carrying out elementary and secondary education programs administered by the Department of Education is spent for our children in their classrooms.

SEC. 12. SENSE OF THE CONGRESS ON ASSET-BUILDING FOR THE WORKING POOR.

(a) FINDINGS.—Congress finds that—

(1) 33 percent of all American households have no or negative financial assets and 60 percent of African-American households have no or negative financial assets;

(2) 46.9 percent of all children in America live in households with no financial assets, including 40 percent of caucasian children and 75 percent of African-American children;

(3) in order to provide low-income families with more tools for empowerment, incentives which encourage asset-building should be established;

(4) across the Nation numerous small public, private, and public-private asset-building initiatives (including individual development account programs) are demonstrating success at empowering low-income workers;

(5) the Government currently provides middle and upper income Americans with hundreds of billions of dollars in tax incentives for building assets; and

(6) the Government should utilize tax laws or other measures to provide low-income Americans with incentives to work and build assets in order to escape poverty permanently.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that any changes in tax law should include provisions which encourage low-income workers and their families to save for buying their first home, starting a business, obtaining an education, or taking other measures to prepare for the future.

SEC. 13. SENSE OF THE CONGRESS ON ACCESS TO HEALTH INSURANCE AND PRESERVING HOME HEALTH SERVICES FOR ALL MEDICARE BENEFICIARIES.

(a) ACCESS TO HEALTH INSURANCE.—

(1) FINDINGS.—Congress finds that—

(A) 43.4 million Americans are currently without health insurance, and that this number is expected to rise to nearly 60 million people in the next 10 years;

(B) the cost of health insurance continues to rise, a key factor in increasing the number of uninsured; and

(C) there is a consensus that working Americans and their families and children will suffer from reduced access to health insurance.

(2) SENSE OF THE CONGRESS ON IMPROVING ACCESS TO HEALTH CARE INSURANCE.—It is the sense of the Congress that access to affordable health care coverage for all Americans is a priority of the 106th Congress.

(b) PRESERVING HOME HEALTH SERVICE FOR ALL MEDICARE BENEFICIARIES.—

(1) FINDINGS.—Congress finds that—

(A) the Balanced Budget Act of 1997 reformed Medicare home health care spending by instructing the Health Care Financing Administration to implement a prospective payment system and instituted an interim payment system to achieve savings;

(B) the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999, reformed the interim payment system to increase reimbursements to low-cost providers, added $900 million in funding, and delayed the automatic 15 percent payment reduction for one year, to October 1, 2000; and

(C) patients whose care is more extensive and expensive than the typical Medicare patient do not receive supplemental payments in the interim payment system but will receive special protection in the home health care prospective payment system.

(2) SENSE OF THE CONGRESS ON ACCESS TO HOME HEALTH CARE.—It is the sense of the Congress that—

(A) Congress recognizes the importance of home health care for seniors and disabled citizens;

(B) Congress and the Administration should work together to maintain quality care for patients whose care is more extensive and expensive than the typical Medicare patient, including the sickest and frailest Medicare beneficiaries, while home health care agencies operate in the interim payment system; and

(C) Congress and the Administration should work together to avoid the implementation of the 15 percent reduction in the interim payment system and ensure timely implementation of the prospective payment system.

SEC. 14. SENSE OF THE HOUSE ON MEDICARE PAYMENT.

(a) FINDINGS.—The House finds that—

(1) a goal of the Balanced Budget Act of 1997 was to expand options for Medicare beneficiaries under the new Medicare+Choice program;

(2) Medicare+Choice was intended to make these choices available to all Medicare beneficiaries; and unfortunately, during the first two years of the Medicare+Choice program the blended payment was not implemented, stifling health care options and continuing regional disparity among many counties across the United States; and

(3) the Balanced Budget Act of 1997 also established the National Bipartisan Commission on the Future of Medicare to develop legislative recommendations to address the long-term funding challenges facing Medicare.

(b) SENSE OF THE HOUSE.—It is the sense of the House that this resolution assumes that funding of the Medicare+Choice program is a priority for the House Committee on the Budget before financing new programs and benefits that may potentially add to the imbalance of payments and benefits in Fee-for-Service Medicare and Medicare+Choice.

SEC. 15. SENSE OF THE HOUSE ON ASSESSMENT OF WELFARE-TO-WORK PROGRAMS.

(a) IN GENERAL.—It is the sense of the House that, recognizing the need to maximize the benefit of the Welfare-to-Work Program, the Secretary of Labor should prepare a report on Welfare-to-Work Programs pursuant to section 403(a)(5) of the Social Security Act. This report should include information on the following—

(1) the extent to which the funds available under such section have been used (including the number of States that have not used any of such funds), the types of programs that have received such funds, the number of and characteristics of the recipients of assistance under such programs, the goals of such programs, the duration of such programs, the costs of such programs, any evidence of the effects of such programs on such recipients, and accounting of the total amount expended by the States from such funds, and the rate at which the Secretary expects such funds to be expended for each of the fiscal years 2000, 2001, and 2002;

(2) with regard to the unused funds allocated for Welfare-to-Work for each of fiscal years 1998 and 1999, identify areas of the Nation that have unmet needs for Welfare-to-Work initiatives; and

(3) identify possible Congressional action that may be taken to reprogram Welfare-to-Work funds from States that have not utilized previously allocated funds to places of unmet need, including those States that have rejected or otherwise not utilized prior funding.

(b) REPORT.—It is the sense of the House that, not later than January 1, 2000, the Secretary of Labor should submit to the Committee on the Budget and the Committee on Ways and Means of the House and the Committee on Finance of the Senate, in writing, the report described in subsection (a).

SEC. 16. SENSE OF THE CONGRESS ON PROVIDING HONOR GUARD SERVICES FOR VETERANS' FUNERALS.

It is the sense of the Congress that all relevant congressional committees should make every effort to provide sufficient resources so that an Honor Guard, if requested, is available for veterans' funerals.

SEC. 17. SENSE OF THE CONGRESS ON CHILD NUTRITION.

(a) FINDINGS.—Congress finds that—

(1) both Republicans and Democrats understand that an adequate diet and proper nutrition are essential to a child's general well-being;

(2) the lack of an adequate diet and proper nutrition may adversely affect a child's ability to perform up to his or her ability in school;

(3) the Government currently plays a role in funding school nutrition programs; and

(4) there is a bipartisan commitment to helping children learn.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that the Committee on Education and the Workforce and the Committee on Agriculture should examine our Nation's nutrition programs to determine if they can be improved, particularly with respect to services to low-income children.

APPOINTMENTS BY THE MAJORITY LEADER

The PRESIDING OFFICER. The Chair announces the following appointments on behalf of the majority leader:

Pursuant to provisions of section 3(b) of Public Law 105–341, the following individuals are appointed to the Women's Progress Commemoration Commission: Elaine L. Chao of Kentucky; Amy M. Holmes of Washington, DC; and Patricia C. Lamar of Mississippi.

APPOINTMENTS BY THE DEMOCRATIC LEADER

The PRESIDING OFFICER. The Chair announces the appointment of the following Senators on behalf of the Democratic Leader:

Pursuant to the provisions of Public Law 105–244, the following Senator is appointed to serve as a member of the Web-Based Education Commission: the Honorable JEFF BINGAMAN of New Mexico.

Pursuant to the provisions of Public Law 94–304, as amended by Public Law 99–7, the Chair announces the appointment as members of the Commission on Security and Cooperation in Europe: Senator FRANK R. LAUTENBERG of New Jersey; Senator BOB GRAHAM of Florida; Senator RUSSELL D. FEINGOLD of Wisconsin; and Senator CHRISTOPHER J. DODD of Connecticut.

UNANIMOUS CONSENT AGREEMENT—HOUSE CONCURRENT RESOLUTIONS 44, 47, AND 50

Mr. NICKLES. Mr. President, I ask unanimous consent that the Senate proceed, en bloc, to the consideration of the following concurrent resolutions: H. Con. Res. 44, H. Con. Res. 47, and H. Con. Res. 50.

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

NATIONAL PEACE OFFICERS' MEMORIAL SERVICE

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A concurrent resolution (H. Con Res. 44) authorizing the use of the Capitol Grounds for the 18th annual National Peace Officers' Memorial Service.

GREATER WASHINGTON SOAP BOX DERBY

The PRESIDING OFFICER. The clerk will report the next resolution.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 47) authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN

The PRESIDING OFFICER. The clerk will report the next resolution.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 50) authorizing the 1999 District of Columbia Special Olympics Law Enforcement Torch Run to be run through the Capitol Grounds.

Mr. NICKLES. Mr. President, I ask unanimous consent that the resolutions be agreed to, the motions to reconsider be laid upon the table, and that any statements relating to the resolutions be printed at the appropriate place in the RECORD, with the above occurring en bloc.

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

The concurrent resolutions (H. Con. Res. 44, H. Con. Res. 47, and H. Con. Res. 50) were agreed to.

ORDERS FOR THURSDAY, APRIL 15, 1999

Mr. NICKLES. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until 9:30 a.m. on Thursday, April 15. I further ask that on Thursday, immediately following the prayer, the Journal of 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 debate on the budget resolution conference report.

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

PROGRAM

Mr. NICKLES. For the information of all Senators, the Senate will reconvene on Thursday at 9:30 a.m. and immediately begin the final 5 hours of debate on the budget resolution conference report. Therefore, Senators can expect a rollcall vote on adoption of the conference report at approximately 2 p.m., or earlier if time is yielded back. Under a previous order, the Senate may also expect a final vote on the House version of S. 767, the uniform services tax filing fairness bill. That vote is expected to occur immediately following the vote on the budget conference report.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. NICKLES. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent the Senate stand in adjournment until 9:30 a.m. tomorrow.

There being no objection, the Senate, at 6:09 p.m., adjourned until Thursday, April 15, 1999, at 9:30 a.m.