

The Republican Party is adrift, searching for an issue. The one they think they can coalesce behind is a tax cut, the one thing that brings every wing of their party, from extreme right to right and everything between it, together. Yet every time they do it, it turns out they have tipped the scales so heavily to the rich that the American people say we do not want any part of this. If this is just going to be a cheering section of people from country clubs who think the tax cuts are really going to be something for the future, so be it, but it is not good enough for the country.

Mrs. BOXER. Will the Senator yield for a very quick question?

Mr. DURBIN. Yes.

Mrs. BOXER. I have to again say thank you to the Senator. I was looking at some of the analysis of the Republican tax cut, the across-the-board one. It said, if you earn about \$300,000 a year, you would get a \$20,000-a-year tax cut. I wonder if the Senator has thought about this. The tax cut, therefore, for those folks who earn over \$300,000, would be almost twice as much money as a person working on the minimum wage earns, which is approximately \$11,000, \$12,000. Could my friend just talk about the unfairness of that situation?

Mr. DURBIN. Mr. President, I think it is fundamentally unfair. I agree with the Senator from California. Most people who are in these high-net-worth situations would not miss a decimal point in their net worth, but the Republican tax cut plan wants to give them more money. Yet when we try to bring up an issue such as increasing the minimum wage from \$5.15 an hour, the Republicans just will not accept that. So we are going to have that fight later this year, I am sure, on the floor of the Senate.

That gives me an opportunity to summarize, if I may, my view of this Congress and the difference between the two parties. Take a look at the Senate over the last 2 months if you want to know the difference between this side of the aisle, the Democratic side, and the Republican side.

On the issue of gun control, sensible gun control, after the shootings in schools across America, the Democrats pushed a sensible gun control plan which attracted the support of six Republican Senators. I salute their courage for joining us, giving us finally enough votes, as a minority, to bring in Vice President GORE casting the tie-breaking vote for sensible gun control—trigger locks for guns that are safer for kids, trying to make sure people buying guns at gun shows are not criminals or children, trying to make sure we do not keep importing these high-capacity ammunition clips of 240 rounds of ammunition. Who needs that for hunting or safety in their homes?

We passed it, sent it over to the Republicans in the House, and they just

beat it to pieces. There is nothing left. We have to get back and pass sensible gun control—a clear difference between Democrats and Republicans.

On the Patients' Bill of Rights, we on the Democratic side came in and said what is going on is scandalous; doctors should make decisions, not insurance companies; and insurance companies should be held accountable when they make the wrong decision. The Democrats stood for that position. The Republicans, with the exception of two Senators, opposed us. The difference between the Democrats and Republicans: We believe in the Patients' Bill of Rights, the Republicans oppose it.

When it comes to this issue, what a change of hats. The Democrats are in the role of fiscal conservatives. The Democrats are saying mind our own business when it comes to Social Security, the future of Medicare, and retiring the national debt; the Republican side says at least \$1 trillion in tax cuts the first 10 years, and then watch it explode in the outyears.

For the American people following this debate in the Senate, they have a choice. If you buy into the Republican philosophy of runaway tax cuts and irresponsible spending in the future, if you buy into the idea of standing up on the floor of the Senate for the health insurance companies and opposing the efforts of families and doctors and hospitals to bring some sanity back to health care, if you buy into the Republican position supporting the National Rifle Association and the gun lobby, then that is your party, that is where you should turn, and be proud of it.

But if you think there is a better choice, if you think coming together on a bipartisan basis for sensible gun control, for the Patients' Bill of Rights, and for a fiscally responsible approach to our budget in the future, I think that is the better way to go. That is the clear choice, and politics is about choices.

I thank my colleagues from California and Maryland for joining me in the morning business, and I yield the remainder of my time.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

#### INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2000

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of H.R. 1555, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1555) to authorize appropriations for fiscal year 2000 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intel-

ligence Agency Retirement and Disability System, and for other purposes.

Pending:

Kyl amendment No. 1258, to restructure Department of Energy nuclear security functions, including the establishment of the Agency for Nuclear Stewardship.

The PRESIDING OFFICER. The Senator from New Hampshire.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Under the previous order, the Senator from New Mexico, Mr. BINGAMAN, is recognized to offer an amendment.

AMENDMENT NO. 1260 TO AMENDMENT NO. 1258  
(Purpose: Relating to the field reporting relationships under the Agency for Nuclear Stewardship)

Mr. BINGAMAN. Mr. President, I send a second-degree amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Mexico [Mr. BINGAMAN], for himself, Mr. DOMENICI, and Mr. REID, proposes an amendment numbered 1260 to amendment No. 1258.

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

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

The amendment is as follows:

In section 213 of the Department of Energy Organization Act, as proposed by subsection (c) of the amendment, at the end of subsection (k), insert the following:

"Such supervision and direction of any Director or contract employee of a national security laboratory or of a nuclear weapons production facility shall not interfere with communication to the Department, the President, or Congress, of technical findings or technical assessments derived from, and in accord with, duly authorized activities. The Under Secretary for Nuclear Stewardship shall have responsibility and authority for, and may use, as appropriate field structure for the programs and activities of the Agency."

Mr. BINGAMAN. Mr. President, I offer this amendment on behalf of myself and my cosponsors, Senator DOMENICI and Senator REID.

The amendment does two things. The first sentence of the amendment says:

Such supervision and direction of any Director or contract employee of a national security laboratory or of a nuclear weapons production facility shall not interfere with communication to the Department, the President, or Congress, of technical findings or technical assessments derived from, and in accord with, duly authorized activities.

That sentence makes clear that communication which presently occurs is

intended to continue. The clarification is necessary because in the underlying amendment officers and employees of contractors, including the Directors and employees of the three National Laboratories, are referred to as "personnel of the Agency for Nuclear Stewardship" and all personnel of the Agency are subject to the supervision and direction of the Under Secretary for Nuclear Stewardship.

We want to be sure if they have information of a technical nature or based on their technical assessment that they believe should be directly communicated, that communication occur.

The Directors of the three nuclear weapons laboratories are responsible for certifying the adequacy of the nuclear weapons stockpile. Their independence and the integrity of their judgments are critical to the national security of the Nation. It is important that the legislation recognize and protect that independence and integrity by ensuring that these lab Directors and employees can communicate these technical findings and assessments to the Department, the President, and the Congress.

The second sentence of the amendment simply provides that the Under Secretary for Nuclear Stewardship may use field offices for the programs and activities of the Agency. This is a departure from one of the recommendations of the Rudman report. The Rudman report proposed streamlining the reporting chain for the Agency for Nuclear Stewardship by cutting the ties between the weapons labs and the Department of Energy field offices.

We had a hearing in the Energy Committee last week, and I asked Dr. Vic Reis, who is the Assistant Secretary of Energy for Defense Programs, whether he agreed with that Rudman report recommendation. He said he did not. He said we certainly need weapons ties in the field office because "we cannot run the operation entirely from Washington."

All we are saying is the Secretary has authority to use the field offices in an appropriate fashion—we are not dictating how but in an appropriate fashion to carry out the policies of the Department.

As I understand what Dr. Reis was saying, the important point is to clarify the lines of authority between the Agency for Nuclear Stewardship and the labs. The underlying amendment does that. But he said the new Under Secretary will still need field offices to help them oversee and run the complex of weapons laboratories and production facilities, and this gives the Under Secretary that option.

I believe this amendment is straightforward. My colleague on the Republican side, Senator DOMENICI, is the prime cosponsor of this amendment. I hope it is acceptable. I believe it is acceptable to all Senators, and I hope the Senate will adopt it.

The PRESIDING OFFICER. The Senator from New Mexico, Mr. DOMENICI.

Mr. DOMENICI. Mr. President, I wholeheartedly agree we ought to adopt the amendment. I will speak for one moment on it. I will not address the first portion of it, wherein the amendment discusses the responsibility that rests with reference to making sure that appropriate communications occur rather than be stymied by the new Agency. I think that is good language. I do not know that we would have had anything different than that in the underlying bill, but this clarifies it. I am pleased to be part of that.

With reference to the second part of the amendment, the Department of Energy has been operating with field offices—some of them very successful, some of them not so successful. There has even been a clamor over the past 5 or 6 years to create more of them rather than fewer of them. In fact, there have been proposals to create more field offices that this Senator personally has had to confront in the appropriations bill.

What this says is that rather than being silent in the bill with reference to the Rudman recommendation regarding field offices, this says the Deputy Secretary may use an appropriate field structure for programs and activities of the agency. I think that is good. It gives them the options and it gives them all they need for good management. What we are talking about is good management—field offices versus the national office.

So I urge the Senate to adopt this amendment. We have no objection on our side. I urge the chairman and co-chairman of the Intel Committee to concur in our recommendations.

Mr. SHELBY addressed the Chair.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, I commend Senator BINGAMAN for offering this amendment. I believe it is constructive in nature. It is something we believe will, at the end of the day, clarify what we are trying to do. That is what this legislation is all about—to restructure the labs, making it harder for espionage to go on at the labs. So it is a good amendment. I urge that at the proper time we adopt it.

Mr. KERREY addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. KERREY. Mr. President, I also believe this is a good amendment. I am going to accept it. I think it is a sign that Senators on both sides of the aisle understand that we have an opportunity to do something that is long overdue, but that there is a reason in the past this has not been done; that is to say, restructuring the agency to increase the accountability for the work that is being done on nuclear weapons, both to make certain we preserve sound science at its best and security at its best.

I fervently hope we continue in this spirit, because if we do, we will produce a bill with a big vote, and we will be able to conference it, be able to change the law, and enact good reform that will keep the United States of America and our people safe.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. It has been a pleasure working with Senator BINGAMAN on this and on some other amendments. I say to the two floor managers, it is my hope we can take the four or five remaining issues and see if we can't get one amendment put together to see if we can resolve them. We should have an answer to that for the floor managers within the next half hour, 45 minutes.

Having said that, let me talk about the field offices for a moment. I have also been a proponent of the belief that if you can do some of the business of government down close to where the problems are, you are better off. I believe that such is the case with field offices. If properly run, under the appropriate accountability rules, wherein everybody knows who is accountable for what, I believe they can be very helpful.

Because I believe that, I think this amendment gives the option to retain them in a manner that will be helpful to the new Under Secretary as he puts together the semiautonomous entity.

I think much of the activity in field offices has been good. The fact the entire Department has made it very difficult to run the nuclear weapons part may be some of the reason the Rudman board was not thinking of field offices in a very good light. I believe it is imperative we look at it that way—in a good light. We have not told them how to use them. We have not told them what kind of role they play. We have said they may be used for programs and activities of the agency.

I yield the floor.

Mr. REID. Mr. President, one of the most important contributions to our national security is the annual stockpile report to the President and the Congress in which the safety, security, and reliability of the stockpile is assessed.

A very important piece of that report is an assessment by the Directors of the national security laboratories regarding the results of their technical investigations.

That assessment by the lab Directors combines scientific and engineering findings with expert professional judgment to form an independent evaluation of the quality and character of the weapon designs that make up our nuclear stockpile.

The scientific and engineering findings are derived from data developed at Pantex, at Oak Ridge's Y-12 plant, at the Kansas City Plant, at the Nevada

Test Site, and at the national security labs, Sandia, Los Alamos, and Lawrence Livermore.

Experts from all of these sites combine their efforts to review and validate this information upon which the effectiveness of our stockpile is determined.

More experts are convened to consider the ramifications of findings and the whole effort is finally integrated into a certification of the reliability, the safety, and the security of the stockpile.

It is absolutely essential that this effort be free of political or bureaucratic interference.

Scientists, engineers, and technicians at these national security facilities are hired for their expertise and diligence.

They are the only experts who know the significance of their findings and they should remain absolutely unimpeded in exercising their professional skills and judgment.

At the same time, the lab Directors earn their positions of trust and responsibility by a lifetime of outstanding technical accomplishments, demonstrated skill at integrating large complex bodies of information, and consummate integrity in reporting their conclusions.

They, too, should remain absolutely unimpeded in the performance of their stockpile certification responsibilities.

Mr. President, in matters as important as certification of our stockpile, the possibility of interference, or even just the appearance of the possibility of interference, can affect the exercise of skills and professional judgment.

These professionals should retain their independence from bureaucratic or political interference.

Unfortunately, this amendment takes a step that will destroy that independence by asserting that these civilian contractor employees "shall be responsible to, and subject to the supervision and direction of, the Secretary and the Under Secretary for Nuclear Stewardship or his designee."

So now there are at least three Federal officers, necessarily politicized by their positions, and undoubtedly bureaucratic in their origins, who can direct these professionals in any or all aspects of their work.

That is not an environment that promises assessments that are independent of political or bureaucratic interference.

Mr. President, the labs and production facilities should not be independent of Federal direction, but that direction must not be allowed to dictate technical findings or their interpretation.

My concerns in this regard could be adequately addressed by adding to the appropriate section the following clarification:

Such supervision or direction of any Director or contract employee of a national secu-

rity laboratory or of a nuclear weapons production facility shall not interfere with communication to the Department, to the President, or to the Congress, of technical findings or technical assessments derived from, and in accord with, duly authorized activities.

Mr. KERREY. Mr. President, I urge adoption of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1260) was agreed to.

Mr. KERREY. I move to reconsider the vote.

Mr. DOMENICI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. MURRAY. 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.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak as in morning business for 10 minutes.

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

(The remarks of Mrs. MURRAY pertaining to the introduction of S. Res. 158 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

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

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

Mr. KYL. Mr. President, I would like to return to the business of today, the Intelligence Committee authorization bill and the underlying Kyl-Domenici-Murkowski amendment to that authorization bill which provides for the reorganization of the Department of Energy with a semiautonomous agency responsible for our nuclear weapons programs. That is the business of the Senate since this time yesterday.

Americans who are watching the activities of the Senate might be a little confused. I would like to try to straighten out some of the confusion. I challenge my colleagues who have a different point of view to express that if, in fact, they care to do so.

We are well aware, over the last several years now, of espionage that has been occurring within our nuclear laboratories and other facilities in this country which has resulted in a signifi-

cant number of very important secrets of this country being obtained by others who should not have them, including, we believe, the Government of China. This is not minor. The secrets that have been obtained, we believe, from our nuclear laboratories include the information necessary to build the most sophisticated weapons ever designed by man. They include the designs for the most sophisticated weapons in our arsenal—the seven or eight nuclear warheads the United States now has on our existing weapons, as well as designs for a weapon that we never produced but which we understand because the Chinese have now said they have; the so-called neutron bomb that they have developed; as well as some other technology dealing with radar, for example, that can detect our submarines under the sea.

These are the most sophisticated technological developments of our country in recent years. Design information about these weapons has been obtained by others. So, naturally, one of the questions is: How did it happen, and how can we prevent it from happening in the future?

We don't know the answer to the question of how it happened exactly, because people involved in espionage don't come forward and say to you, well, here is what I did. But piecing the information together, we have concluded that it is likely that information was obtained from our nuclear weapons laboratories, and this information got into the wrong hands.

So part of the question of how to prevent this in the future is: What do we need to do, if anything, to ensure security at our nuclear laboratories?

Now, it turns out that over the years there have been numerous General Accounting Office studies, studies by other independent groups, and even studies of the Department of Energy itself, which has jurisdiction over these National Laboratories, which have highlighted the ongoing problems and have suggested that there have to be changes made in the organizational structure of the DOE if we are ever to stop this espionage.

Most recently, the President's own Foreign Intelligence Advisory Board, chaired by former Senator Warren Rudman, issued a scathing report and made some very important recommendations about the reorganization of the Department of Energy. In this report, in effect, the Rudman panel said to the President that the Department of Energy will tell you that it can reorganize itself. It can't. It is the problem.

Many of the bureaucrats within the Department don't want to reorganize in a way that will solve these problems. They want to protect their turf. Therefore, it is going to have to be up to Congress to pass a new statute that literally reorganizes the Department of Energy to get this done.

Now, interestingly, just before that Presidential advisory panel made its recommendations, Senator DOMENICI of New Mexico, in whose State two of the three primary weapons labs are located, had come to the same conclusion, based upon a lot of these previous reports that I talked about, and had actually developed an idea of how to reorganize the Department of Energy to provide for greater accountability and responsibility. He discussed those ideas with me and with Senator MURKOWSKI, chairman of the Energy Committee. The three of us decided to introduce legislation, which we attempted to attach to the Department of Defense authorization bill back in May, to accomplish this exact result.

At that time, for a variety of reasons, the leadership, including Senator WARNER and others, said: Don't attach that to this bill, do it later with the intelligence authorization bill—which we now have before us. For one thing, no hearings have been held, and we need time to work out the specific language.

So Senators DOMENICI and MURKOWSKI and I agreed to do that back in May. Since then, there have been, I believe, six different hearings by four different committees specifically on this legislation. Senator Rudman has testified, as has Secretary Richardson, and many others, about this specific legislation.

Since the time of our initial introduction of the amendment, the Rudman panel made its recommendations. It was so close to what Senator DOMENICI and the rest of us had originally proposed that we conformed our legislation to that recommendation so that we were in effect asking the Department to be reorganized exactly along the lines recommended by the President's own advisory panel. That was back in May.

A lot of time has now elapsed, obviously—almost 2 months—while we have been going over this. We have been meeting with Secretary Richardson. We have been talking to each other trying to come up with some compromise language where we thought it was appropriate.

But in the meantime, we have the question of whether our secrets are being protected at our National Laboratories. The Rudman report, and Senator Rudman's testimony before at least one of these committees in the interim, made it clear that we had not solved the problem. The Cox report made the point that espionage was still continuing. The Rudman report specifically said the recommendations of the Secretary of Energy and the implementation of what he was doing was in effect too little too late; it was not solving the problem; it didn't go far enough; and we had to get on with the urgent business of solving this problem.

The reason I point this out is that we agreed to delay even though that delay

poses a risk to the people of the United States of America; that more secrets will fly out the window before we get this thing resolved. But we agreed to hold the hearings and to try to get the acquiescence of the Secretary of Energy.

He has now finally agreed with the proposition that was recommended to the President's advisory panel that we need a semiautonomous agency.

We are now arguing about a lot of the details. But in this matter the details matter. The details matter because it is possible for the bureaucrats within the Department of Energy to scuttle the reform if they can take enough pieces of it out and create the same kind of burdensome, multimanagement kind of structure that exists today which the Rudman report criticized as being so ineffective.

We fear that is what some of the amendments which will be proposed will do.

We have been trying over the last 48 hours literally to bring this bill before the Senate. We had to actually invoke cloture in order to begin debating the intelligence authorization bill. Democrats objected to the consideration of the intelligence authorization bill.

What does that mean? Without an intelligence authorization bill, the programs for fiscal year 2000 in our intelligence community cannot go forward.

Why would people object to even considering the bill, not voting on it, but even bringing it up when these kinds of threats to our national security exist? Why would they object to the consideration of the amendment for the reorganization of the Department of Energy along the lines recommended by the President's own panel of advisers, the concept of which has been signed off by his Secretary of Energy?

Why would we have this delay? Why now for the last 48 hours have the people who want to amend our proposal not come forward to present this amendment so we can get on with this?

We have had this bill pending for 24 hours. People watching might say: Why have we heard speeches about everything under the Sun except the Department of Energy reorganization?

The answer is because people who object to our proposal have not come to the floor and have not been willing to offer their own amendments.

Senator DOMENICI has been laboring mightily in the back rooms trying to work out some language differences. We have been willing to meet others more than halfway in trying to resolve differences that we could resolve. We have agreed to accept a couple of amendments and make some modifications to language so we can work together in a bipartisan fashion. But I have yet to hear anybody say, who has proposed amendments that we have accepted, that they will agree with and support the legislation at the end of

the day, even if we accept what they have offered.

I am not going to suggest a lack of good faith. But there is a matter of national security involved. Time is wasting.

I see nobody on the floor willing to debate with us or tell us where they think we are wrong or to offer amendments to what we are trying to propose.

Under the rules of the Senate, unless they come down and do that, we are stuck.

We don't want to spend all of the time just reiterating what Senators DOMENICI, MURKOWSKI, THOMPSON, BUNNING, and myself and others have already said on the floor. We could keep talking about this.

I sometimes wonder what the American people think. They hear there is a crisis with intelligence. They hear there is a problem with these National Laboratories. They hear there is a suggestion to fix it made to the President by his own advisory board, and we have amendments to implement those recommendations. Yet nothing happens. In fact, people actually object to bringing up the bill that would begin to fix the problem.

When we finally bring it up because we invoked cloture, we actually made them vote on that—they all agreed to bring it up at that point—and nobody comes down to offer amendments.

I urge my colleagues, even those who disagree with us, to come to the floor. Let's debate this. If you think you have a legitimate point of view, let's talk it out. Reasonable people can differ about these things. If you have an amendment, bring it to the floor so we can debate and vote on it.

But, sooner or later, the American people are going to reach a conclusion, which is that this matter is being delayed.

I find it unconscionable that anybody would delay efforts to secure the Nation's most important secrets and to delay our efforts to ensure the security of our National Laboratories. That is what we are all about here.

I just hope that sooner rather than later people will be willing to come down and work with us to bring this bill to a conclusion so that we can get on with the important business of this country in protecting our national security.

I see Senator DOMENICI is on the floor. I know he has been working mightily to try to work out some language. I think it would be appropriate now to call upon him for a report on the success of his efforts.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, let me, first of all, congratulate and thank Senator KYL.

There have been many Senators involved, including the occupant of the

Chair, who have serious concerns about the issue. But I believe we have a great threesome who worked together fundamentally from the beginning. Senator KYL was more than willing right up front when the idea evolved. When we said let's work on it, he was most willing to take the lead, and, frankly, knows a lot about nuclear weapons, the safety, and the well-being of them. He knows a lot about the so-called science-based stockpile stewardship. He has not been an advocate of doing anything with reference to nuclear weapons that would diminish in any way America's great strength in that regard. I commend him and thank him for it.

I want to comment for just about 3 minutes on the issue that he raised.

There have been contentions that the Department of Energy is moving in the right direction. In fact, I think the Secretary misspoke once when he said to the Congress and to the people we have taken care of the security problems. That is not a quote. It is just a general notion of what he said.

I noted over the weekend that the new four-star general, retired, has been put in charge of security and counter-intelligence. They called him the czar. I note that he has indicated he is a year away from getting what he thinks is necessary under this dysfunctional department to be able to say we are taking care of the security issues in the best possible way.

Why wouldn't we hurry up and reorganize? Instead of that czar spending all of his time trying to get a structure set up under the old system—which everybody says isn't going to work, and which says, Good luck, general, but when you are finished with all of that, it isn't going to work—we ought to get this reorganization in the hands of that Department, in the hands of the President of the United States, and say, Let's get on with trying to implement.

I submit that it is going to be hard to implement.

There are many ties that are going to have to be broken. There are many parts of the Energy Department that are going to go down swinging in terms of them having little or nothing to say anymore about the nuclear weapons aspect of this. They all have parts in it. It has made it such a bureaucratic mess that even as I look at amendments that want to ease up a little on the semiautonomous nature, my mind immediately goes back to, well, if we open the door a little bit, we are just going to end up in 10 or 5 years right back where we are.

I want to make sure everybody understands that we want to keep it semiautonomous where the Secretary is ultimately engaged, but within that is something similar to the FAA that is doing its own work on nuclear weapons. I think we are close.

However, I suggest to those Senators who want to discuss amendments or

who contemplate offering amendments, including the ranking member of the Armed Services Committee, Senator CARL LEVIN, that we hear from him soon as to what he wants to do. We have a proposal we are discussing about going somewhat in his direction but not totally.

I am trying to see if we can minimize amendments and get this done quickly. If not, I think we will just start voting. Some don't want to do that. I think we will have to do that within the next hour or so if we can't put things together. Then I will have a couple amendments, if that is the case. I think they are more acceptable than what I understand others are going to offer. We will get those debated.

Mr. DOMENICI. I ask unanimous consent I be permitted to speak as in morning business for 5 minutes.

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

#### TAX CUTS

Mr. DOMENICI. Mr. President, on the floor of the Senate today, yesterday in a press conference at the White House, today in a press conference, and this afternoon, the President of the United States will end about 48 hours of White House attack on tax cut proposals that Republicans have put forth. We are very grateful, however, that some Democrats are now espousing the same—in particular, in the Senate. The whole idea of the attack is, we don't have enough surplus to give the American people a tax break.

I hope the American people understand the contentions made by the President, by the Secretary of the Treasury, by those on the floor today from the other side who debated it. I hope they understand that this is an attack that should be called "anything but taxes." That is the philosophy of those who are attacking what we are trying to do—anything but taxes.

For those who think we don't have enough resources, I will take some time today, both on the floor and in other places here at the Capitol, to explain that, indeed, it is a prudent plan. Indeed, there are sufficient resources, and there are sufficient resources in the broadest sense, to take care of our commitment to Social Security. We have done that. We want a lockbox, and we can't get it passed in this Senate. There is ample money for reform of the Medicare system to include prescription drugs.

We will also today let the American people know that the Congressional Budget Office believes the President's prescription drugs are not going to cost only \$48 billion in new money; their estimate is they could cost \$118 billion—a very important difference, more than double the amount. The point of all this is the contention that we can't take care of the rest of government if we have a tax cut.

I will just use a round number here. My recollection is that the surplus is \$3.9 trillion—people can't even fathom \$3.9 trillion—over the next decade. To put it in perspective, the entire budget of the United States on an annual basis, including Social Security payments, Medicare payments, all of the appropriated accounts, is about \$1.8 to \$1.9 trillion. Almost twice the total expenditures of the Federal Government in a given year is the surplus accumulating, according to the best estimators and best economists we can put on this issue—experts at both the Office of Management and Budget and Congressional Budget Office.

I quickly penned some figures. If we have \$3.9 trillion in surplus and we want a tax cut over a 10-year period of \$782 billion, that is 20 percent of the surplus that would be given back to the American people by way of tax cuts and tax changes. That will make for better economic sense in the future.

That is a rough number. That is a gross number. However, it puts it in perspective. We ask the question, Where is the rest of it going? We will share in detail what we say it is going for and what the Congressional Budget Office says the President's budget is going to be used for. It will be an interesting comparison.

For those on the other side and those in the White House—including the Secretary of the Treasury—who think they will have free rein making their case, which in my opinion is extremely partisan, it is Democrats in the White House, including the Secretary of the Treasury, who are saying, "We are not for tax cuts," and making every kind of excuse in the world to avoid it.

We will make sure that our side of this is understood. We believe if we don't have a significant tax cut adopted now for the next decade, all that surplus will be spent. We can already see it in plans coming from the White House. We can already see it in the current budget of the President extended over a decade as estimated by the Congressional Budget Office.

I thank the Senate for giving me a little bit of time this morning. I clearly did not today present our case in its totality. I want everybody to know there is another side to the partisan antitax fever that will be coming out of the White House the next couple of weeks. That is what it is. It is a ferocious attack on anyone who wants to give back taxes to the American people, using all kinds of arguments, even if they are totally partisan, one-sided exaggerations.

We won't get as much news because the President's press conference will be heralded everywhere. Before we are finished, we will have a few spokesmen tell the American people what this is about. I wish we had an opportunity to present what we are going to present today to the House. I wish we could do